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THE

AUTOBIOGRAPHY

OF

SIR JOHN BRAMSTON, K.B.,

OF SKREENS, IN THE HUNDRED OF CHELMSFORD;

NOW FIRST PRINTED FROM THE ORIGINAL MS.

IN THE POSSESSION OF HIS LINEAL DESCENDANT

THOMAS WILLIAM BRAMSTON, ESQ.,

ONE OF THE KNIGHTS OF THE SHIRE FOR SOUTH ESSEX.

LONDON:
PRINTED FOR THE CAMDEN SOCIETY.
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PREFACE.

The Camden Publications having invariably contained some account of the work about to be submitted to the Society, together with a short notice of the author, it was not thought proper to deviate from the established usage, otherwise Sir John Bramston might have been left to introduce himself to his readers, and to tell his own story. But, at all events, a few preliminary observations will answer every purpose.

The ancient and respectable family of Bramston, whose history occupies a large portion of the present work, are supposed to have sprung from a place so called in Northamptonshire, but no trace of the name or the circumstance has been discovered in the annals of that county. We are enabled with more confidence to refer their origin to William Bramton, or Bramston, who served the office of Sheriff of London in the eighteenth year of Richard II. John Bramston, a descendant of the Sheriff, living in 1480, acquired some property at Whitechapel in right of his wife Eleanor, one of the daughters and coheirs of Thomas Rookes, of that parish; and his grandson and namesake, described as a London mercer, died in 1576, leaving issue Roger, the first settler of the family

in the county of Essex. He espoused Priscilla, widow of Thomas Rushee, and daughter of Francis Clovile, whose ancestors had long been seated at West Haningfield Hall, in the hundred of Chelmsford, and established himself at Boreham, the residence of her first husband.

We next come to Sir John Bramston, the eldest son of the above marriage, and the father of our Autobiographer. He was born at Maldon, May 18th, 1577, whilst his parents were on a visit to their relative John Sherman, and educated in the Free School of that town, from whence he removed to Jesus College, Cambridge. Leaving the university, he entered of the Middle Temple, and applied himself diligently to the study of the law, and, having been called a serjeant in 1623, soon rose into notice, and after receiving the distinction of knighthood in 1632, he obtained the appointment of King's Serjeant, and was shortly afterwards advanced to the Chief Justiceship of the King's Bench, which office he held till 1642. He had purchased the estate of Skreens,* in the parish of Roxwell, in the

* The mansion house took its name from William Skrene, of Writtle, constituted Serjeant-at-Law 10th Henry IV. It passed afterwards to the Farmers, and Sampfords, by one of whom, Richard Sampford, it was alienated to Richard Weston, who became a Justice of the Common Pleas, and whose son, of the same name, afterwards Lord High Treasurer, was created Earl of Portland in 1632-3.

"The manor of Skreens" (observes Morant, *History of Essex*, vol. ii. p. 73) "has been all along in families that have raised themselves by their merit and eminence in the law, a circumstance attaching to no other estate that we know of in this county." There can be no question that Chief

year 1635, of Thomas Weston, the second son of the first Earl of Portland, the Lord High Treasurer, which has since been uninterruptedly enjoyed by his posterity as their principal seat and residence. And here it will be proper to mention that the Society is indebted for the use of the MS. Memoir to Thomas William Bramston, Esq., the present possessor of Skreens, and one of the Representatives for his native county, a distinction which

Justice Bramston, who purchased the estate from the Westons, as well as his two brothers, one of whom was a Judge and the other a Master in Chancery, kept up the charter; but it is only right to state that at a much later period Thomas Gardiner Bramston, Esq., the last possessor of Skreens, so endeared himself to his brother magistrates as a Justice of the Peace and Chairman of the Quarter Sessions, and by his unwearied attention to the interests of the county, that after his lamented death they caused his Bust, executed in marble by Ternouth, to be placed in the Grand Jury Room at Chelmsford, with the following inscription:—

THIS TABLET IS ERECTED
BY THE MAGISTRATES OF ESSEX, TO THE MEMORY
OF THOMAS GARDINER BRAMSTON, ESQUIRE, OF SKREENS,
WHO DURING TWENTY YEARS
PRESIDED AS ONE OF THE CHAIRMEN OF THEIR QUARTER SESSIONS,
AND IN THAT AND EVERY OFFICE
CONNECTED WITH THE GENERAL INTERESTS OF THE COUNTY
EVINCED SO CLEAR A JUDGMENT,
A DISPOSITION SO CANDID AND CONCILIATING,
SO UNWEARIED A PERSEVERANCE
IN INVESTIGATING THE CLAIMS OF TRUTH AND JUSTICE,
AND SUCH INTEGRITY OF PURPOSE IN MAINTAINING THEM,
AS INSURED TO HIM THE CONFIDENCE
OF THOSE WITH WHOM HE SHARED HIS PUBLIC DUTIES,
AND AFFORDED A BRIGHT EXAMPLE OF A CHARACTER
GUIDED BY THE PRINCIPLES OF A TRULY CHRISTIAN MIND.
HE DIED THE 3D OF FEBRUARY, 1831,
IN THE 61ST YEAR OF HIS AGE.

has been conferred upon him and his ancestors in fifteen Parliaments since the days of the Chief Justice.

Sir John Bramston's patent of judgeship was cancelled October 2d, 1642, on account of his inability to attend the King at York without incurring the risk of displeasing the House of Lords, who had refused him permission to go, and bound him over to appear before them when required, under a heavy penalty. From this time he retired into private life, and, having more than once refused to accept judicial office from Cromwell, who was extremely anxious to obtain his services, he preserved till his death, which took place on September 22d, 1654, an unblemished reputation as an able lawyer and an honest man, and is spoken of in the highest terms by many of the historians of the times in which he flourished, although he had made himself enemies by too strenuously upholding the prerogative of the Crown. The Chief Justice survived both his wives, the first of whom, Bridget Moundeford, brought him a numerous progeny.

The eldest of these, John Bramston, the Autobiographer, was born at Whitechapel, in September 1611, and, after completing his education at Wadham College, Oxford, embraced the study of the law, having for his chamber-fellow, in the Middle Temple, Edward Hyde, afterwards Lord Chancellor Clarendon, with whom he always continued to live in habits of intimacy.* Whilst they were

* Memoir, page 103.

brother students Mr. Hyde gave his portrait to his young friend, which remains at Skreens, and was engraved for the edition of the History of the Rebellion published in 1816. It is supposed to be the earliest likeness of this truly great man, but the painter's name has been lost. Mr. Bramston likewise possesses two original pictures of the Chief Justice, one of which, a whole-length ascribed to Vandyck, was copied for the Collection at Clarendon House. There are also at Skreens portraits of the Autobiographer, the Baron of the Exchequer, and most of the heads of the family.

John Bramston was called to the bar shortly after his father had been placed on the bench, marrying in the same year Alice, daughter of Anthony Abdy, an Alderman of London, who survived only till February 1647-8.

He continued (as he expresses it) to practise the law "as long as the temper of the times would allow, and till the drums and trumpets blew his gowne over his ears."* He then sold his chambers, and after his wife's decease retired to Skreens, where his father seems to have afforded an asylum to the numerous members of his family who had been driven from their homes and deprived of their employments in those days of anarchy and confusion.

But the clouds dispersed, the storm at length passed away, and the monarchy was re-established, and early in the next year Sir John Bramston's name appeared in the

* Memoir, page 103.

list of the Knights of the Bath created at the coronation of Charles II., which distinction no doubt was conferred upon him in consideration of the devotion shown by his family to the royal cause; he states indeed that he might have been made a Baronet, but he preferred an honour that was not hereditary. He was also chosen to serve as Knight of the Shire for Essex in the Parliament that preceded the Restoration, and was twice afterwards re-elected; and, at a later period, he again entered the House of Commons as Burgess for Maldon, after the accession of James II.

He appears subsequently to have withdrawn very much from public business, though he was blessed with an unusual length of days, and, so far as we can judge from his Diary, he retained his faculties till within a few days of his death, which took place at Skreens, on the 4th of February, 1699-1700, in the 89th year of his age.

It is time, however, to turn from the Autobiographer to the book which he has left to his posterity.

The MS., which has been carefully preserved amongst the archives at Skreens, occupies about 169 pages of a small folio volume, and is fairly written, in a neat legible character, and there are numerous references to the text inserted on the margin. The author's design will be best explained by quoting an entry made by him on the fly-leaf opposite the beginning of the volume:

"Findinge this booke in my brother's studie after his death, and having then taken into my thoughts to leave some memoires of my father and familie, and myselfe, and having made some entrance thereunto, I tooke the

resolution to transcribe the paper into this book, where was my brother's Readinge ;* and though our familie be neither antient nor greate, my father, for ought I can find, being the first [knight] of the name, unles the Sheriff in Richard II. his tyme, or the Governor of Wisbech Castle, † were knighted, as was not usual then ; and I find noe thing to move me to the belief thereof ; yet, this being designed merely to privacie, and for acquainting my son and his descendants with the stock he and they are derived from, I have taken the pains to give them this information, which they may dispose of as they please, either to the fier or otherwise to discourse of amongst themselves. JOHN BRAMSTON."

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* The volume does contain the Reading alluded to, described as "Lectura Francisci Bramston Armigeri in Medio Templo, tertio Augusti 1668, super Statut. de tertio Jacobi, Cap. 4 ; entitled, An Act for the discovering and repressinge of Popish Recusants." The Autobiographer only means that he wrote in the blank leaves of a book originally prepared for another purpose.

"Mr. Bramston, my old fellow-traveller (in Italy), now Reader at the Middle Temple, invited me to his feast, which was so very extravagant and greate as the like had not been seene at any time. There were the Duke of Ormond, Privy Seal, Bedford, Belasys, Halifax, and a world more of Earls and Lords."—*Evelyn's Diary, August* 3, 1668.

† Amongst the monuments in the parish church, says Watson, the historian of Wisbech, that of Thomas de Braunstone is the most ancient. He was Constable of the Castle there, and, dying in 1401, was interred in the south aisle, where is a gravestone with his effigy engraved on brass plates. He is represented, under a rich Gothic canopy, in plate armour and painted helmet, with a lion at his feet, and this inscription round the verge of the stone :—

"Cy gist Thomas de Braunstone, jadis Conestable du Chatel de Wisebeche, qui mourut le vingt septieme jour de Maii, l'an de notre Seignour Mil C C C C primer. De l'alme de qui Dieu par sa grace ait mercy. Amen."

There seems also to have been another monument of Bramstone of Wisbech in the church of Boston or Walpole ; but nothing certain is known as to their being the ancestors of the Skreens family.—*History of Wisbech*, p. 259.

From this memorandum, and a statement in the MS.,* it will appear that Sir John Bramston had entered into his 72d year before he commenced his labours; so that, although he tells us that he referred to notes to refresh his memory, the first portion of the work must be considered as historical, whilst that part that was written after the year 1683 assumes the character of a Diary, the passing events having been recorded from time to time, though, perhaps, less regularly than was the practice of most of the annalists of that day whose journals have been lately brought to light. In one respect, indeed, they all resemble each other, as plain narratives of passing events, noted down without any idea of their being ever made public, and consequently not possessing the slightest pretension to finished style or studied composition. Many of our Diaries, it must be admitted, will be found more entertaining and of greater interest to the general reader; nor can it be assumed that Sir John Bramston has recorded any historical fact of importance not to be met with in the writings of some of his contemporaries. The Memoir must therefore be regarded as principally of a private and domestic character, containing the annals of an English country gentleman's family recorded during a most eventful period, and written with an air of truth and honesty not to be mistaken; whilst the steadiness and devotion of Sir John Bramston and all his house to the royal cause, for which they sacrificed their best

* Memoir, page 3.

prospects, and their firm attachment to the Protestant religion in the worst of times, cannot fail to find favour with those who take the trouble to peruse the following pages.

Still there are interspersed throughout the work a great variety of curious incidents relating to bygone times, with reminiscences of many of the Essex families, most of which have been long extinct. We collect also interesting particulars of the manner in which the polls for the county and the borough of Maldon were taken, showing that our forefathers were well versed in electioneering manœuvres. We have further occasional notices of debates, and parliamentary and judicial proceedings, with specimens of physicians' consultations, and medical details, and an amusing account of the author's adventures whilst on an expedition with his father, who went to Dublin to bring home his second wife. The reader too may have an opportunity of learning what happened to James II. whilst hunting the stag in the Essex forests.

We will advert to one other subject only, mentioned by the Autobiographer, the strange persecution that he underwent in 1672, when an attempt was made to prove that he and his two brothers had, some years before, become Papists, and that he was receiving pay from the Pope. Whether the accusation originated from the bad feeling of his political adversaries belonging to the discomfited faction, or, as he himself surmised, it was the result of private pique and malice, cannot now be decided; but it

seems extraordinary that Henry Mildmay, of Graces, a gentleman by birth, nearly allied to some of the best families in the county, which he twice represented in subsequent parliaments, should have become the principal agent in so base a transaction. Such, however, was the fact, for he bribed a worthless Portuguese, named Ferdinand de Macedo, to make oath before the Privy Council that he had actually been present with the three brothers at a secret conclave held at Skreens, when they renounced the Protestant religion before Commissioners appointed by the Pope. It is needless to dwell further upon this wicked contrivance, which was signally defeated, as the details are given perhaps too minutely in the memoir. At all events it is remarkable that no mention of the circumstance occurs elsewhere, for Charles II. used to tell the story as "the greatest conspiracy and the greatest forgerie that ever he knew against a private gentleman;" and would say, "after Oates his plot was on foot, that the Popish plot began upon Sir John Bramston."*

The Editor having on a former occasion experienced the inconvenience of attempting to select portions only of a diary for the press, and observed the jealousy and mistrust with which curtailed or garbled publications are received, had felt strongly inclined from the first, in the present instance, to print the MS. as he found it; and this resolution was confirmed after he had satisfied him-

* Memoir, p. 158.

self that, whilst the memoir contained many details highly creditable to the family of whom it principally treated, not a single passage occurred that could possibly give pain to their present representatives, or lessen the respect without which the name of Bramston cannot be mentioned. The MS. is therefore presented to the Society in its entire and original form, nothing having been omitted, excepting some king's speeches and state papers, printed before, and obviously possessing not the slightest interest. A few coarse expressions in the medical details have also been softened, without altering the sense implied, and several mistakes and lacunæ rectified by supplying the words, between brackets, supposed to be wanting. Indeed, if we consider the advanced age of the author when he began to write, and that a great portion of the book was the work of an octogenarian, it is extraordinary that so few errors should occur.

In compliance with the modern usage, a few notes have been occasionally introduced at the bottom of the pages; at the same time, no attempt to trace the history of every individual mentioned could have led to a satisfactory result, neither has it been thought necessary to notice those persons with whom, from their rank and station, the generality of readers cannot fail to be already well acquainted.

Whilst adverting to this part of the subject, the Editor feels it his duty gratefully to acknowledge his obligations to the Rev. Joseph Hunter, who took the

trouble of perusing the transcript of the MS., and suggested many remarks, which have been used with advantage in the notes. Nor should it be omitted that Sir Charles G. Young, Garter King at Arms, with his usual courtesy and kindness, made some important corrections and additions to the pedigree of the Bramstons, which was considered as a proper appendage to the biography, genealogical facts being so much more easily comprehended when presented in that form than in narration: they are indeed like *maps* as compared with *descriptions* of countries.

BRAYBROOKE, P.

Audley End, Dec. 24*th*, 1844.

PEDIGREE OF BRAMSTON.

SUPPOSED TO BE DESCENDED OUT OF NORTHAMPTONSHIRE FROM A PLACE SO CALLED.

From the Records in the College of Arms, Bramston Archives, Parish Registers, and Monumental Inscriptions.
R. denotes burial in Roxwell church.

Arms: Or, on a fesse sable three plates. Crest: A lion seiant or, gorged with a collar sable charged with three plates.

William Bramston, Sheriff of London 1395, 18 Ric. II.

⋮

John Bramston, vixit 1480. = Elinor, daughter of Thomas Rookes, of Whitechapel, ob. 1505. Joint executrix to her father's will with her sister 1463.

Hugh Bramston, of London. = Elizabeth, daughter of .... Norris, of London, survived her husband, and surrendered lands to the use of her son John.

Elizabeth, daughter of William Chambers, s. p. 2nd wife.

John Bramston, of London, mercer. = Margaret, daughter and heiress of Thomas Symons, of London, gent. and Alice his wife, ob. May 5, 1556, 1st wife.

Thomas, ob. s. p.

Agnes. = Christopher Campion, of London.

Roger Bramston, of Boreham, Essex, 1614. Second son and heir.

= Priscilla, daughter of Francis Clovile, of West Haningfield Hall, Essex, and relict of Thomas Rushee of Boreham.

Francis. Hugh. Richard.

Thomas. Hugh. obierunt s. p.

Elizabeth, marr. to George Buck, of Long Melford, Suffolk.

Anne, marr. to John Sherman, of Maldon, Essex, living 1577.

Grace, marr. to George Seligh, of Havering, Essex.

Bridget, dau. of Sir Thomas Moundeford, M.D. of London, younger son of the family of Moundeford, of Feltwell, Norfolk, ob. æt. 36; bur. in Milk Street church, London. 1st wife.

= Sir John Bramston, knt. of Boreham, son and heir, Lord Chief Justice of the King's Bench 1635; born at Maldon May 18, 1577; ob. Sept. 22, 1654. R.

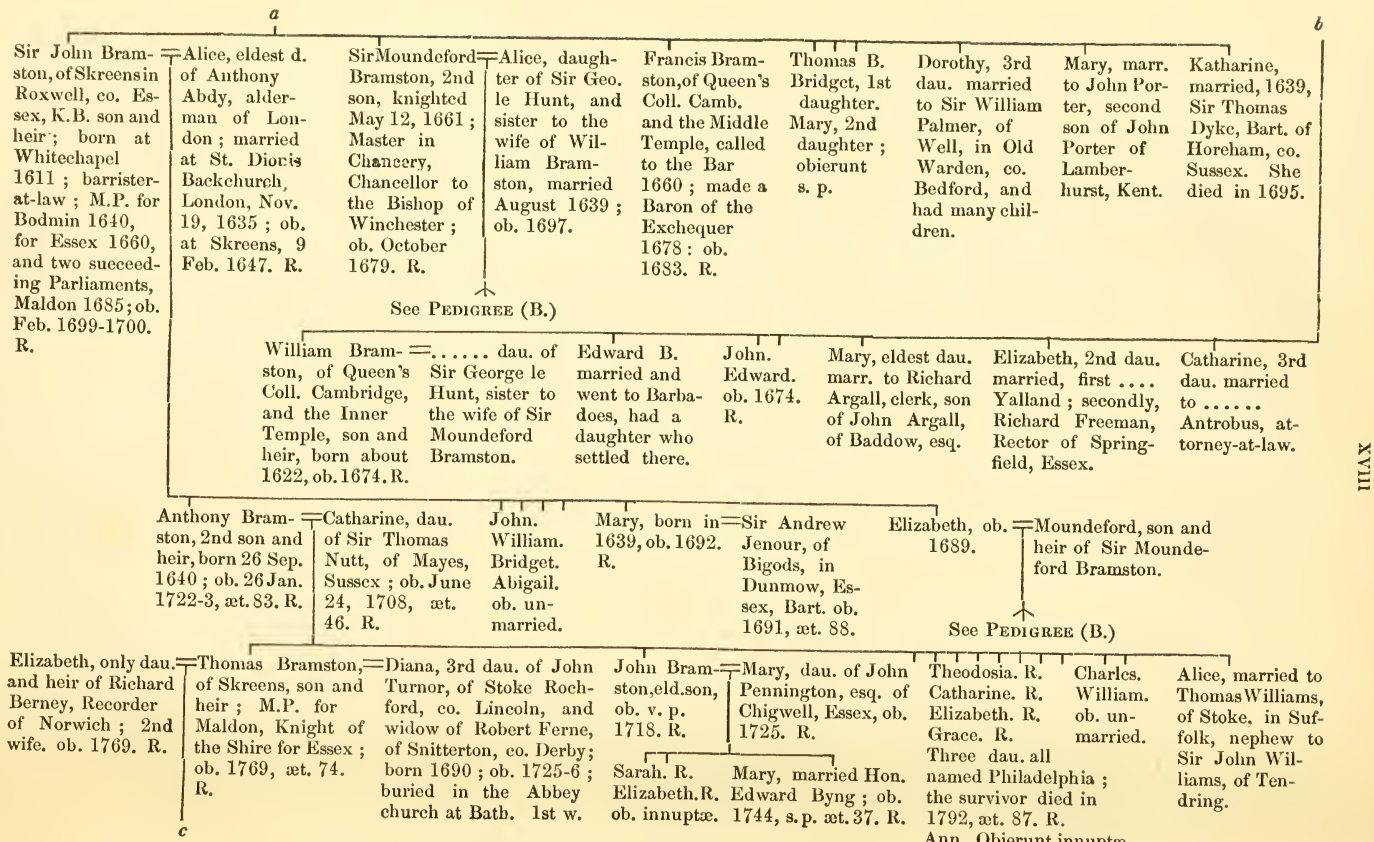
= Elizabeth, dau. of Edward Lord Brabazon, of Ardee, and relict first of George Montgomery, Bishop of Clogher, and 2dly of Sir John Brereton; mar. 1631; ob. June 7, 1647. R. s. p. 2d w.

William Bramston, of Halstead, Essex, gent. second son, living 1634.

= Elizabeth, d. of John Shirley of Gloucester.

Mary, marr. to John Stepkin, of Lees, in Essex. He was of German extraction.

Margaret, ob. unmarried, at Boreham, 1612.


a
b
Sir John Bramston, of Skreens in Roxwell, co. Essex, K.B. son and heir; born at Whitechapel 1611; barrister-at-law; M.P. for Bodmin 1640, for Essex 1660, and two succeeding Parliaments, Maldon 1685; ob. Feb. 1699-1700. R.
Alice, eldest d. of Anthony Abdy, alderman of London; married at St. Dionis Backchurch, London, Nov. 19, 1635; ob. at Skreens, 9 Feb. 1647. R.
Sir Moundeford Bramston, 2nd son, knighted May 12, 1661; Master in Chancery, Chancellor to the Bishop of Winchester; ob. October 1679. R.
Alice, daughter of Sir Geo. le Hunt, and sister to the wife of William Bramston, married August 1639; ob. 1697.
See Pedigree (B.)
Francis Bramston, of Queen's Coll. Camb. and the Middle Temple, called to the Bar 1660; made a Baron of the Exchequer 1678: ob. 1683. R.
Thomas B. Bridget, 1st daughter. Mary, 2nd daughter; obierunt s. p.
Dorothy, 3rd dau. married to Sir William Palmer, of Well, in Old Warden, co. Bedford, and had many children.
Mary, marr. to John Porter, second son of John Porter of Lamberhurst, Kent.
Katharine, married, 1639, Sir Thomas Dyke, Bart. of Horeham, co. Sussex. She died in 1695.
William Bramston, of Queen's Coll. Cambridge, and the Inner Temple, son and heir, born about 1622, ob. 1674. R.
..... dau. of Sir George le Hunt, sister to the wife of Sir Moundeford Bramston.
Edward B. married and went to Barbadoes, had a daughter who settled there.
John. Edward. ob. 1674. R.
Mary, eldest dau. marr. to Richard Argall, clerk, son of John Argall, of Baddow, esq.
Elizabeth, 2nd dau. married, first .... Yalland; secondly, Richard Freeman, Rector of Springfield, Essex.
Catharine, 3rd dau. married to ..... Antrobus, attorney-at-law.
Anthony Bramston, 2nd son and heir, born 26 Sep. 1640; ob. 26 Jan. 1722-3, æt. 83. R.
Catharine, dau. of Sir Thomas Nutt, of Mayes, Sussex; ob. June 24, 1708, æt. 46. R.
John. William. Bridget. Abigail. ob. unmarried.
Mary, born in 1639, ob. 1692. R.
Sir Andrew Jenour, of Bigods, in Dunmow, Essex, Bart. ob. 1691, æt. 88.
Elizabeth, ob. 1689.
Moundeford, son and heir of Sir Moundeford Bramston.
See Pedigree (B.)
Elizabeth, only dau. and heir of Richard Berney, Recorder of Norwich; 2nd wife. ob. 1769. R.
c
Thomas Bramston, of Skreens, son and heir; M.P. for Maldon, Knight of the Shire for Essex; ob. 1769, æt. 74. R.
Diana, 3rd dau. of John Turnor, of Stoke Rochford, co. Lincoln, and widow of Robert Ferne, of Snitterton, co. Derby; born 1690; ob. 1725-6; buried in the Abbey church at Bath. 1st w.
John Bramston, eld. son, ob. v. p. 1718. R.
Sarah. R. Elizabeth. R. ob. innuptæ.
Mary, dau. of John Pennington, esq. of Chigwell, Essex, ob. 1725. R.
Mary, married Hon. Edward Byng; ob. 1744, s. p. æt. 37. R.
Theodosia. R. Catharine. R. Elizabeth. R. Grace. R. Three dau. all named Philadelphia; the survivor died in 1792, æt. 87. R. Ann. Obierunt innuptæ.
Charles. William. ob. unmarried.
Alice, married to Thomas Williams, of Stoke, in Suffolk, nephew to Sir John Williams, of Tendring.

c

Thomas Berney Bramston, of Skreens, co. Essex, esq. Knight of the Shire for Essex in six successive Parliaments; born at Skreens 7 Dec. 1733; ob. March 1813. R.

= Mary, daughter and heir of Stephen Gardiner, esq. of the city of Norwich; married at Norwich 10th Jan. 1764; ob. 25 Nov. 1805, æt. 60. R.

Mary, married to William Deedes, of St. Stephen's, Canterbury, esq. and of Hythe, Kent.

Charlotte, dau. of Sir Henry Hawley, Bart. and relict of the Rev. John Bridges; 2nd wife.

= Thomas Gardiner Bramston, esq. eldest son, bo. at Skreens, 24 July 1770; Knight of the Shire for Essex; ob. Feb. 1831, æt. 61. R.

= Marie-Anne, dau. of William Blaauw, of Queen Anne street West, London, formerly of Amsterdam, merchant, by Anne Charlotte, daughter of Charles LeMaitre; married at St. Mary-le-bone, London, 6 Feb. 1796; 1st wife; ob. Feb. 1821, æt. 47. R.

John Bramston, Clerk, 2nd son, born at Skreens, 21 May 1773, took the name of Stane in addition to Bramston, 16 April 1801, by license, pursuant to the will of Mary Alice, widow of John Westbrook, esq. and dau. of Wm. Stane, of Forest Hall, in the parish of High Ongar, co. Essex, esq.

= Mary Elizabeth, dau. of Wm. Newton, esq. of the island of Santa Crux. mar. at St, Mary-le-bone, 20 June 1801.

Wm. B. 3nd son, supercargo at Canton, died in China, unmarr. born at Skreens, 24 July 1775.

Mary Ann, only dau. bo. at Skreens, 6 June 1777; marr. at Roxwell, 29 July 1797.

= John Houblon, of Hallingbury Pla. M.P. for Essex, who took the name of Archer, 11 Dec. 1800; ob. 1831.

Four children ob. inf. R.

Thomas Wm. Bramston, born at Skreens, 30 Oct. 1796; Knight of the Shire for S. Essex, 1831, and still serv. 1845.

= Eliza, one of the six daughters and coheirs of Admiral Sir Eliab Harvey, G.C.B., Knight of the Shire for Essex.

Mary-Anne, born at Great Waltham, co. Essex, 7 Feb. 1798.

Charlotte, born at Great Waltham, aforesaid, 11 Nov. 1799; married Rev. J. Davidson; ob. 1841.

Elizabeth, born at G. Waltham, aforesaid, 25 May 1801; marr. W. Hooper; ob. 1839.

John Bramston, clerk, Vicar of Witham, co. Essex, born at G. Waltham, aforesaid, 12 May 1802.

= Clara, da. of General Sir Nicholas Trant; ob. 1844.

Catharine, born at G. Waltham, aforesaid, 30 May 1803; died Jan. 1805. R.

Louisa, bo. 18 Sept. 1804. Two dau. ob. inf. R.

John B. born at Forest Hall, aforesaid, 7 July 1803.

Maria-Elizabeth, b. at Lond. 15 June 1802, m. William Beckford, Esq.

Thomas-Harvey, born at London 1831.
John, born at Skreens 1832.
William-Moundeford, born at Skreens 1835.
Henry, born at Skreens 1836.

Georgiana, born at London 1833.
Eliza-Harriet, born at London 1837.
Emma-Alice, born at London 1843.

Clara, born at Great Baddow 1833.
Mary, born at Witham 1841.
John-Trant, born at Witham 1843.

(B.) Sir Moundeford Bramston, knighted 12 May 1661. = Alice Le Hunt.

- John Bramston, eldest son, died young.
- Moundeford Bramston, 2nd son, of Borcham, co. Essex, 1699 : ob. 1713, æt. 74 ; bu. at Boreham. M.I. = Elizabeth, daughter of Sir John Bramston, ob. 1689 ; buried at Borcham. M.I.
  - John Bramston, of Boreham, co. Essex, esq. ; ob. 1715, æt. 39.
  - Isabella, dau. of James Masters, of East Langdon, co. Kent, esq. ; ob. 1572, æt. 75 ; buried at Borcham. M.I.
  - Thomas. (Le Neve.)
- George Bramston, of Doctors' Commons, LL.D. Fellow of Trin. Coll. Camb. mar. Rebecca, dau. of .... Wood; ob. 1699.
  - Theodosia, only dau. married Sir Robert Abdy, of Albyns, co. Essex, Bart.
- Francis Bramston, an Ensign in the Guards, afterwards a Colonel, marr. .... dau. of Sir William Glascock.
  - James B. clerk, Rector of Ludgershall, author of "The Man of Feeling," and other poems.
- Will'm Bramston, Fellow of Queen's Coll. Camb. chaplain to the Duke of Northumberland, D.D. Prebendary of Worcester and Rec. of Woodham Walter, Essex ; ob. 1735. = Bridget, dau. of ..... Wales, D.D.
  - George. John. William Bramston, of Doctors' Commons, LL.D.
  - Anne, dau. of Laurence Alcock, of Trotton, co. Sussex, barrister-at-law ; ob. 1743. 1st wife.
- Thomas B. of Waterhouse, in parish of Writtle, co. Essex; a clerk in the Chancery Office, M.P. for Maldon ; ob. 30 May 1737, æt. 79. M.I. bu. at Writtle, co. Essex. = Grace, d. of Henry Gregory, of Middleton Stony, co. Oxon, Clerk, died 14 Nov. 1718, æt. 47.
  - George Bramston, died s. p.
  - Jane, dau. of .... Warden of Uckfield, co. Sussex, sister of Thomas, who took the name of Sergison. 2nd wife.
  - Thomas B. died unmarried.
  - Henry ob. 2 Aug. 1715, æt. 18, bur. at Writtle.
  - Grace, married Francis Croft,, of London, merch. 3rd son of Sir Herbert Croft, of Croft Castle, Heref. Bart. She died 23 Aug, 1725 ; bur. at Writtle.
    - Algernon, only son.
  - Catharine, married Richard Price, of Bromfield.
  - Mary, died 4 January 1732.
- Elizabeth, eldest dau. married Sir Barrow Fitch, of Woodham Walter, co. Essex, knt. who died in 1672.
- Mary, ob. innupta.
- Alice, married Henry Mildmay, 2nd son of Sir Henry Mildmay, of Wanstead, co. Essex.
- Dorothy, married Anthony Fisher, of co. Cambridge, esq.

Edmund Bramston, of Boreham aforesaid, and of Hall Place, co. Hants, esq. = Henrietta-Maria, ... daughter of Charles Withers, of Hall Place, aforesaid, esq. ; ob. 1790, æt. 76 ; buried at Dean, Hants.

John.

- Wither Bramston, of Hall Place, Hants ; ob. 1832, s. p. buried at Dean.
- Mary, daughter of Thomas Lobb Chute, of the Vine, Hants, esq. married 1783 ; buried at Dean.
- Augusta, born 1749 ; ob. 1819 ; buried at Dean.
- Henrietta Maria, born 1751 ; ob. 1771 ; buried at Dean.

AUTOBIOGRAPHY

OF

SIR JOHN BRAMSTON, K.B.

"Equidem beatos puto, quibus Deorum munere datum est, aut facere scribenda, aut scribere legenda, beatissimos vero quibus vtrumque." *Plin. Ep. lib.* 6, *Ep.* 16.

Amongst the manie reasons historians giue (and Strada with the rest) for the resignation by the Emperor Charles the Fifth, the words of an old and good officer* vnder him are not thought of the lightest moment, whoe, desiring leaue of the Emperor to depart, and be dismist from his employment, the Emperor would needes know the reason moueinge him thereto, whoe replied, *Inter negotia vitæ, et horam mortis debet esse spatium.* Indeed, if dyinge be an art, the soldier had reason to take some tyme to studie that, which he must of ne-

* The officer's name is said to have been John Valdasso. The passage quoted is as follows: "Auditus est per eos dies cum illam crebro vocem iteraret Centurionis sui, (cujus mihi virtus notior est quam nomen,) qui vetus multorum stipendiorum eques rebus humanis renuntiaturus, cum missionem a Carolo peteret, isque novi consilii causam exquireret, respondisse fertur '*inter vitæ negotia et mortis diem oportere spatium intercedere.*'"—*Strada de Bello Gallico, liber primus.*

cessitie one day putt into practice; which possibly he could not soe well doe in the heat of his busines (tho' noe other then that of death) as when he was remoued from all apprehension of giueing or receauinge violent or suddain death. And because in that art the first and principale rule giuen is to liue well, it might be high tyme for the soldier to take out that lesson (tho' I doubt not the lawfulnes of that profession, fightinge for his Emperor, and at his command, to kill the enemies of his Emperor, kinge, and master.) Nor was it strange that a man continually in armes, woundinge, killinge, or contriuinge how most effectually he might destroy his enemies, should not be prepared to meete death, whoe had soe often seene him in his horridest visage; the soldier's busines beinge to kill others, not to die himselfe. These words of the soldier, as Strada says, the Emperor did often reuolue in his mind, and I suppose he might take it as aduice to himselfe, and might make him resolue to take truce with himselfe, and lay hold of all opportunities to make up his account with God, his soule, and the world. And although this ought to be done daylie, and happie is he that performes this part of his dutie constantly, yet with all I know the difficultie, whilst a man is busied in publique imployment in the government, or that of a profession, the care of prouidinge for a familie, of gettinge, mannageinge, and bestowinge an estate (which, like thornes, often choake the good seedes, as we haue it from the mouth of truth it selfe). And, therefore, tho' I owne my selfe one of the most inconsiderable subiects, and although I quitted my profession longe since, and the small aduantage to my selfe and familie that way, in the beginninge of the warr which the two houses of Parliament made and raised against the Kinge, and liued without any imploye more then mannageing that estate conferred on me by my father, and some small part acquired by my own industrie, yet after the happie restauration of his Majestie Kinge Charles the Second, and for some tyme before (as I shall set downe hereafter),

tho' I returned not to my profession, I was taken from my retirement, and putt into the seruice of my countrie, wherein I continued duringe three parliaments in Kinge Charles the Second's tyme, as knight of the shire in two, and as burges for Malden in the third, and which brought me into the 70th yeare of my age. When the last of those was dissolued, I thought it was high tyme for me to take the aduice of the soldier before mentioned, and to quitt all busines but that of dyinge and preparinge for my death, and resolued with my selfe soe to doe; and therefore first I desired the Lords Commissioners of the Admiraltie to appoint another Vice-Admirall for Essex, which office I had held euer since the return of his Majestie. Soone after I alsoe made request to the Lord Chancellor, the Earle of Notingham, that I might, with his Majesties leaue, be discharged from the imployments of justice of peace; and to his Grace the Duke of Albemarle* I made suite to be eased from the office of deputie lieutenant. And because I have not hitherto binn able to preuaile in either, I shalbe constreined, I feare, to giue dispensation to my selfe, much against my judgement, for I haue alwaies thought the Kinge and countrie know best how to dispose of me, or any man, nor cann it befitt any man to refuse the commands and seruice of either; yet, haueinge indeauoured to obteine leaue, if it shall not be granted me, my age and other circumstances considered, if I take my ease in some measure, and attend not soe often, nor soe diligently, on these publique imployments as formerly I haue done, and from which I cannot obteine discharge, it shall, I hope, meete with noe sinister interpretation, as if I frowardly, or out of discontent, withdrew my attendance. But that beinge now entered, when I write this, into the seauentie-second yeare of my age, I may very reasonably esteeme my selfe (tho' I feele noe

* Christopher, second Duke of Albemarle, seated at New Hall in Essex, then Lord Lieutenant of the county. He died in Jamaica, of which he was Governor, in 1688, s. p.

disease nor the approach of anie,) on the brinck of the graue, David, that King and Prophet, assuring vs that threescore yeares and tenn are the age of a man; which haueing passed, I may well take occasion, not only to make peace with my aduersarie whilst I am yet in that way, but alsoe to reflect on what was sayd by Seneca, *Nil turpius quam grandis natu Senex qui nullum aliud habet argumentum quo se probet diu vixisse propter ætatem;* which makes me call to remembrance the yeares that are passed, what I haue done, and how I haue spent (I hope not wasted) my time. That posteritie, therefore, (I meane my owne descendents,) may know somethinge of my father and my selfe, beside our names in the pedegree or line of descent, I haue set downe some thyngs (tho' few) done by my selfe not vnworthy, manie things by my father worthy both of theire knowledge and immitation: let them [know] therefore that there was one John Bramston, whoe married with Elinor Rookes, whoe by her had issue Hugh Bramston, whoe had issue John and Thomas, which John had issue Roger, who had issue by Priscilla his wife John his eldest sonn, my Father; which Roger marryinge with the widow Rushee, of Boreham, of Essex, gaue him occasion to remoue from his dwelling in Midlesex, in the parish of Whitechappell, where his father had liued vpon an estate descended vnto him from his ancestors, where alsoe he had other lands which his father recouered as heire to the said Elianor Rookes. Roger, by Priscilla Clovile, relict of Thomas Rushee, daughter of Francis Clovile, of Hanningfeild Hall in Essex, Esquire (an antient honorable familie, and which had binn in that countie before, and remained there euer since the Conquest, possessinge lands of good value, vntil, some few yeares since, Rivet, the sonn of Edward Clovile, sold the reuersion of the seate Hanningfeild Hall (giuen to their familie by William the Second) after his father's life vnto Mr. Thomas Whitbred, (there being left only at this day in that name 100*l.* per annum.) Roger, I say, by the said Priscilla

The pedegree in lineal descent from 20 E. 4.

Elinor Rookes.

Priscilla Clovile.

The issue of Roger by her.

had issue, besides John my father, Mary, Margaret, and William. John was borne the 18th day of May 1577, at Malden, whether his father and mother went to visit a sister Ann Bramston, married vnto John Sherman, and liueing there at the time, where she falling in labour, she was deliuered of the said John, who was baptized in the parish church of Saint Marie in Malden the 21st of the same May; his godfathers were Gabriel Crofts and Henry Mildmay, esquires; his godmother was Mrs. Mary Harris, widow (as I find it mentioned and set downe in a booke of the said Roger's). Soe soone as he was capable he was putt to schoole in the free schoole at Malden, from whence he remoued to Jesus Colledge in Cambridge, to which in the year 1637 he gave 40*l.* towards repairing thereof; he was also benefactor to Gunwell * and Caius Colledge, and numbered and remembered by that colledge as such; but what he gaue I find not but the acquittance for the 40*l.* I haue by me. Whilest he was in Jesus Colledge he fell sick of the small pox, and was in great danger of death. From the vniuersitie he came to the Midle Temple, where his great-vnkle, brother to his grandfather, had binn formerlie, whoe died there, and was buried in it (the stone was there after I came to that inn of court). Here he became a close student of the law, and was in his due tyme called to the barr, and gaue soe good proofe of his proficiencie in the studie and knowledge in the law that in the year 1607, which was the fifth of King James the First, he was chosen of councill, and made sollicitor to the vniuersitie of Cambridge, and had a patent vnder their seale, with a fee of 40*s.* a yeare granted him, as is to be seene by the said patent, Robert Cecil, Earle of Salisburie, beinge at the tyme Chancellor of the vniversitie. In the year 1622 he was chosen reader, and read vpon the statute 32 H. 8, cap. 2, concerning lymitations. In Trinitie tearme following, 1623, he

The birth of my father.

Henry Mildmay.

His education.

His proficiencie in the law.

Of councill for Cambridge.

His readings.

* Gonville.

Called to be a serjeant-at-law.

was by writ called to be a serieant at law at a general call, and gaue 500*l.* for a present to his Majestie (as did all the rest of that call), as I find by an acquittance for the monie. After the recept of the writ returnable the tearme followinge he read againe in the summer vacation one weeke, vpon the stat. 13 Eliz. cap. 5, concerning fraudulent conveiances. This was a chargeable yeare, his two readings, his present to his Majestie, his robes, and share of the expenses of the generall feast (whereof he was made one of the stewards,) and which feast (settinge aside the coronation there is not a nobler, and I would insert the manner of it, but that I have not the papers now by me), his rings, &c. cost him very much. And here I cannot slip obseruing the difference of the tymes. He read twice before he was a serjeant. Now, since the restitution of the Kinge, more are called to be serjeants that neuer read at all then that haue read once. The reasons giuen were that there wanted serjeants, there was not tyme for readings, and that manie fitt had binn on the King's side in the warr, and either wanted monie or were to be indulged, &c.; yet readings were inioyned, and some read that found noe aduantage. Formerly they read constantly a fortnight, since but a week, and at this tyme readings are totally in all the inns of court layd aside; and to speake truth, with great reason, for it was a step once to the dignitie of a serjeant, but not soe now. But to returne. In Michaelmas tearme folowinge (1623), at the returne of the writ, he was sworne, and tooke his place at the Common Pleas barr. He soone grew eminent; few if any of his call and tyme excelled him, or had greater practice; scarce any cause of importance came into Westminster Hall but he was in, and argued matters of law in all courts of law, and was of council in most great causes in Chancerie, Court of Wards, and Star Chamber. In the year 1628 he was made choice by the Lord Maior, Aldermen, &c. of London, to be of the citie councill at large, with a fee granted him *pro concilio impenso et impendendo.* This was

How readings fell, and are laid aside.

What aduantage it was to him.

at the motion of Sir Hennage Finch the then recorder, a serjeant at law, called to be soe at the same call; between them there was affinitie, theire wiues beinge neerly allied in blood, but very great freindship contracted by conuersation and acquaintance. In the year 1630 Dr. John Buckeridge, bishop of Elie, constituted him Cheife Justice of Elie, with the vsuall fee, by patent vnder the seale of the Bishoprick. The bishop dyinge, Sir Richard Weston, Lord Treasurer, continued him in the same place, vntill another bishop was chosen; this patent beares date 7 July 1631. Francis White succeeded in that see; and, by patent dated 30 May 1632, constituted him in the same place Cheife Justice; where he continued vntill he was made Lord Cheif Justice of the King's Bench. On the 26 Martij 1632 he was made the Queenes Serieant. In the year 1634, in July the 8th, he had a patent to be King's Serjeant, and was knighted on the 24th of Nouember that year. In Easter terme 1635, he was by writ and patent constituted Lord Chief Justice of the King's Bench; he took the oaths and place the 18th of Aprill 1635, in a very turbulent tyme, as shall appeare hereafter in the prosecution of this storie, after I have told some things precedinge, to which I now returne. In the yeare of our Lord 1606 he was married to Bridget Moundeford, one of the daughters of Thomas Moundeford, doctor of phisick, a learned and eminent man in that profession as any in that tyme; he was one of the younger sonns of Sir Edmund Moundeford, of Feltwell, in Norfolke, a name and familie antient and honorable, but now totally extinct, Sir Edmund Moundeford, knight of the sheire in the Parliament begun 3rd November, 1648, beinge the last male, whoe dyinge without issue, (though he had two wives, one a Gaudie,* the other a Heveningham) he gaue the estate in the

Chiefe Justice of Elie.

1634, knighted.

His marriage to his first wife, Bridget Moundeford.

The end of the familie of the Moundefords.

* Frances, daughter of Sir Thomas Gaudy. Blomfield mentions a third wife, Abigail, daughter of Sir Thomas Knevet. *Hist. of Norfolk.*

greatest part to his sister of the whole blood, who had noe issue by Simon Smyth,* to whome she was longe married; she gaue the seat Feltwell, and the lands thereto belongeinge, to a daughter of her husband's brother, whome she married to Charles Fleetwood, the rebell, Lieutenant-General to Cromwell, whoe now inioyeth it, and is noe way allied in blood to the familie; the other sisters, beinge of the halfe blood, inherited noethinge but what was allotted them for portions by their father, who before had sold (as I thinck) the mansion-house of his name, which I did see conuerted to an inn or alehouse. The said Thomas Moundeford married Mary Hill, one of the daughters of Richard Hill, of London, by Elizabeth Lock, the twentieth child of Sir William Lock,† the famous citizen, alderman, and Lord Maior of London, of whome I think fitt here to insert the storie as I find it wreten by one of his daughters, Rose ‡ ma-

Some things of the families whence Mary the mother of Bridget is deriued. Sir William Lock, and Richard Hill.

*

Simon Smith, of Winston, Norfolk, ob. s. p. = Elizabeth, d. of Sir Edmund Moundeford, of Feltwell, Norfolk. Thomas Smith. =

Frances Smith (3rd wife). = Charles Fleetwood, the Parliamentary General.

Fleetwood's 2nd wife was daughter of Oliver Cromwell.

† Sir William Locke was sheriff of London in 1548, but his name does not occur in the printed lists of the Lord Mayors. Morant, who falls into the same error, probably adopted it from the Skreens MS. "Sir William Locke, alderman, bur. Aug. 27. 1550." "Lady Locke, Decr. 5, 1551." *Register of St. Mary-le-Bow, Cordwainers' Street. Malcolm's History of London*, vol. ii. p. 156. She was his second wife, and daughter of William Cook. A writer in *The Gentleman's Magazine* for September, 1792, p. 798, asserts, that John Locke the philosopher, whose father, a captain in the parliamentary army, was slain at Bristol in 1645, was descended from Michael Locke, a younger brother of Sir William; but the circumstance is not noticed by Lord King in his Life of Locke.

‡ Rose Hickman, the only daughter of Sir William Locke's second marriage, lived till 1613, and was probably one of the last survivors of the Protestants persecuted by Queen Mary.

ried first to Anthony Hickman, merchant-aduenturer, from whom is descended the now Earle of Plymouth, and soe is the alliance betweene our families, he beinge descended of one daughter, and myself from another of Sir William Lock, but his tytle to Lord Windsor came by a marriage in that familie; her second husband was Throgmorton, of Bramton, in Huntingdonsheire, esquier. I find it in wast paper in her Bible, which hath binn carefully preserued by the females in the familie acording to her order, and is now in the hands of my sister the Lady Palmer, beinge giuen her by the aforementioned Mary, her and my grandmother. The storie is * (as I find it) thus. In the 25th yeare of King Henry the 8th, *that was*, 1530, William Lock, citizen and mercer of London, beinge in Dunkirke when a curse (interdiction, I suppose) was sett vp by the Pope's *messinger* or nuncio, against the King and kingdom, in fauor and at the request of the Queene Katharine, Mr. Lock beinge then there, he tooke it downe, (soe farr, sayes she, goes Hollinshead; but his daughter Rose adds) for which seruice the Kinge gaue him 100 pounds a yeare, and knighted him; and soe (says she) he was the first that, beinge a knight, was sheriff of London. He had alsoe the speciall fauor of the Kinge to haue a key to his priuie chamber, to come to him when he would.† The Kinge dined at his house, he being the King's mercer. From Elizabeth, the 20th child of Sir William Lock, was my mother descended, (as I haue sayd,) as being daughter of Marie, one of the daughters of Richard Hill by that Elizabeth, which Marie was baptised the xth of January 1562. Therefore Elizabeth had two husbands, the first the aforementioned Richard Hill, of Milk streete, mercer, by him she had 13 children; her 2nd husband was [Nicholas] Bullingham, bishop of Worcester.‡ I find not the names of all her children, of whome was

William Lock, citizen of London, takes downe the interdict set vp by the pope's nuncio against King Henry VIII. at Dunkerke.

For which he is knighted, &c.

Elizabeth, his 20th child, married to Richard Hill.

Of whome was borne Mary, married to T. Mounsdeford.

* This story has been printed in the Peerages and elsewhere.

† This only means that he was a gentleman of the King's privy chamber.

‡ Nicholas Bullingham, translated from Lincoln to Worcester 1570, ob. 1576.

borne Bridget, maried to Jo. Bramston.

nor how they were disposed in the world: but in the mentioned memoire I find, some were borne in Milk streete, and some in Antwerpe in the time of Queene Mary; whether she and her husband fled for shelter from persecution, they beinge protestants. And she tells this storie (I meane Rose that wrote the memoires): she says, that, in the tyme of her first husband, Anthony Hickman, after the death of Edward the Sixth, Queen Mary changinge the relligion, her husband and her eldest brother Thomas Lock, beinge merchants and partners, they liued togeather and sheltred manie of the godlie preachers in theire house; but the Queene inioyninge all to come to mass, and persecutinge the refusers, they were forced to let the preachers goe, and let them goe, giuing them monie; she mentions Hooper, Fox, Knox, and one Reinger,* for which her husband and brother beinge questiond before the commissioners, (she calls them high commissioners,) were committed close prisoners to the Fleete; and then shee tells how they gott out, (which I once thought to transcribe at large, but haueinge deliuerd the booke back to my sister, it is not within my reach at this tyme); after which, she says, her husband went to Antwerpe, tooke a house there at 40 pounds rent, sent for her, but she being with child could not goe, but went into Oxfordshire to a gentleman's house, but she names him not, but thincks the house was called Childwell,† wher she was deliuered; names not the child, nor whether male or female; but she says she went to Cranmer, Latimer, and Ridlie, prisoners then in Oxford, to know whether

The storie of Rose, another daughter of Sir William Lock.

Cranmer, Lati-

* Michael Renniger, commonly called Rhanger, a learned divine who, embracing the reformed religion, was obliged to leave the kingdom on Queen Mary's accession. He afterwards became one of Queen Elizabeth's chaplains, and obtained the archdeaconry of Winchester, and other preferment. He died in 1609, aged 89, and had sepulture in his church at Crawley.

† Probably Chilswell farm, in the parish of Cumnor, Berks, within a very short distance of Oxford. It then belonged to the Norris family, and is still the property of their representative, the Earl of Abingdon.

she might christen her child in the Popish manner. They answered her that baptisme was the least corrupted in that church, and therefore she might, but sayd she should haue gone away before, for the child was baptised by a Popish preist, but she says she put sugar instead of salt into the handkercher which was to be deliuered vnto the preist, after which she went to Antwerpe to her husband, left 2 houses of her husband's well furnished, one in London, another at Rumford, taking noething but one feather bed. After a hard passage, they were 5 days at sea, she ariued. She sayes the gouernor was kind to them, and would say, though he did barke, yet he did not bite. Whilst she was in Antwerpe she had another child, which with great care she procured to be baptised after the reformed manner by a Protestant minister, which was done thus. The fashion was to hange a peece of lawne out at the window where a child was to be baptised; and her house hauinge two dores into two streetes, she hunge lawne out at each dore, soe the neighbours of each side, thinckinge the child was caried out at the other dore, inquired no farther; the hasard she rann was great, for she sayes, that in the hatred which was borne by the townsmen to the Anabaptists, the magistrates used to come at midnight into houses where any children were suspected to be kept vnbaptised, and if they found any such, they vsed to putt them into a sack and throw them into the sea and drowne them, which crueltie to auoid, she did, as is before sayd, hange out the lawne, and there beinge a secret congregation of Protestants in the towne, she procured her child to be carried thither, where it was baptized, she not knowinge who were godfathers or godmothers. She continued in Antwerpe to the death of Queen Mary; she died at Gainsburrough 21 November, 1613, in the 87th year of her age. And this is all I find of her in those memoires, collected and made by her selfe and sister. Elizabeth Lock was the 20th child of Sir William Lock, which is testified by a note writen by him-

mer, and Ridley give way for baptisinge a child by a Popish priest.

How Elizabeth obteined baptism in Antwerpe for one of her children borne there.

A crueltie I neuer read of any where but in these memoirs.

Rose died.

The children of Elizabeth by her two husbands,

by Hill, citizen of London,13: by Bullingham, bishop of Worcester, one.

selfe in the said Bible. She was borne in Milkstreete, London, the 3rd day of August, 1535. She had 2 husbands, beinge first maried to Richard Hill, with whome she liued 18 yeares, and had by him 13 children; she continued a widow one year and a quarter, and then maried [Nicholas] Bullingham, bishop of Worcester, and had one child by him. Hill died at Newington greene in September, 1568; shee was very younge when she married Hill, for she was but 20 yeares old when she went with her husband into the Low Countries to Antwerpe; and yet she had then 4 children; she had fiue in Antwerpe. She hath not mentioned the names of all her children. What I find of them in that memoire is thus; her eldest daughter, Katharine Hill, was married to Dr. Goad; she was baptised 23 April, 1554; of her was borne Dr. Goad, one of the diuines sent by King James I. vnto the Synod of Dort. She beinge young, was left in England when her parents went to Antwerpe. Martha, the 2nd daughter, maried to Luke Smyth, clerke; she was baptised 8th of September, 1560; she dyed at Worcester 1593. Rowland, baptised 16th October, 1561, whome I remember to haue seene with my grandfather and grandmother often. I thincke he had noe issue male, but he had a daughter married to Mr. Munday, whoe had a sonn of the Midle Temple; in my tyme he was the first reader of that society after the returne of the Kinge Charles the 2nd. Mary, baptised the 5th of June, 1562; she maried Dr. Moundeford, from whome I am descended, and of whome I shall have occasion to speake more.

Elizabeth, borne at Antwerpe the yeare before Queene Mary died; she married with Edward Archbold at Worcester.

Otwell, borne alsoe at Antwerpe the first yeare of Queene Elizabeth, and was brought into England suckinge at his mother's brests: it seems they were 5 dayes at sea.

Ann, baptized 1566; married to Andros I guess, parson of Chesterton, for I find they liued in the parsonage house (but it seems not well togeather, by some notes in these memoires).

I haue not sett these children in due senioritie, it being confused in the notes: of all these I remember only three, Rowland, Mary, and Ann.

I find Sir William Lock had a daughter maried into Cornewell, for Otwell Hill went into Cornewell to his aunt, eldest sister to his mother; she is not named either by her husband's name or her owne christen name, but I gues her husband's name was Cuswroth, for I remember one of that name that was clerke to my father, whome wee called cousen; and I did see him and his eldest brother in Cornewell, when my father went Judge of Assise there 1640: the elder brother was a Justice of Peace, and had a good estate. There was alsoe one Gewen * a Justice of Peace, whoe I thinck maried Cuswroth's sister. Thomas Moundeford had by Mary Hill seuerall children, Osbert, Richard, Bridget, and Katharine. The sonns were bred vp schollers: the eldest was imployed by Prince Henry into Flanders, and was drowned on the Goodwin in his returne. † Richard was fellow of King's Colledge in Cambridge, and was Vniversitie orator; he died of a consumption; Katharine was maried to Christopher Randes, of Burton, in Lincolneshire, and by him had seuerall children, Thomas, Mary, Elizabeth, Christopher, Katharine, and Henry.

Children of Thomas Moundeford by Mary Hill.

Goodwin Sands.

Mary Hill, daughter of Richard Hill, married to Dr. Moundeford, was a woeman of soe great virtue, soe modest, so deuout, and soe well grounded in relligion that she neuer swerued from the doctrine and discipline of the church of England in the

Some things of her very memorable.

* Probably Thomas Gewen, of Bradridge, in the parish of Boyton, Cornwall. He served as burgess for Launceston in 1640, 1656, and 1658, and in 1654 was returned for the county. His name occurs frequently in the debates, and on February 3, 1657, he made a motion, inviting Cromwell to assume the Kingship.

† Harwood, in his "Alumni Etonenses," mentions Osbert Moundeford, Scholar of King's College in 1601, son of the King's physician; a man of great hopes, unfortunately drowned when on his travels. Richard's name not occurring in the work he was probably fellow of some other college.

worst of tymes (tho' Case* tempted her often), as I could instance.

Many of her relations bequeathed the education of their daughters to her, as I well remember Mrs. Painter, wife of Wm. Painter esquire, one of the pensioners to King Charles the First, did. She was a Hickman, and neere allied; her eldest daughter liued longe with this Mary, and maried Sir Robert Wyseman, to whome, for kindred sake, I was very beneficiall, makeing him by my interest the King's Aduocate-General; but by the interest I had with the Lord Chancellor Hyde I obteined it for him, and got him knighted, so that he had precedencie of the Masters of Chancerie, and others of his profession, amongst which was my owne brother, and yet he, like a drie stingie fellow, scarce euer owned it, I meane by any returne; not that I expected, or would haue accepted, any reward, noe more then I had or desired from his nephew, whome I procured to be knighted and made a baronet for 500*l.* which he gaue the Lord Chancellor Hyde, whereas he had contracted with Sir Charles Litleton for 600*l.*; but I confess I knew not that untill afterwards, for I would not have hindered Sir Charles, and soe I told my Lord Chancellor.† But no more of these things—I shall goe on. After the death of my vnkle Stepkin, my father beinge left by him chancellor and ouerseer of his will, and the care of his children left to him alsoe, this Mary tooke the care off my father and the truble to her selfe, and bred vp the boys with my brother Francis, and the girles with my sisters, which they very gratefully acknowledged duringe their liues, and called her grandmother, tho' she were allied noe otherwise [than] in her cares. John Stepkin, the eldest brother, after the death of his wife

My kindnes to Sir Ro. Wyseman for kindred's sake.

* Thomas Case, a Puritan divine, whose life is printed. He was ejected from his living for nonconformity, and died in 1682.

† The following sentence occurs here, but had been struck out with a pen: "I myselfe had not a payre of gloves of him, tho' I saved him 100*l.*; nay, this ungratefull man sett up his sonn-in-law Honiwood as burgess of Malden against me."

would not be denied, and soe shee tooke his daughter Theodosia, and bred her vp with my sister Katharine and Mrs. Painter and Mary Randes. Theodosia Stepkin, whilst with my grandmother, married with Mr. George Garret, second sonn of Sir George Garret, alderman of London, with whome she liued louingly and virtuously to his death; by him she had a sonn, who liued to man's estate, and dyed at my house, Screenes. The storie of this Theodosia would take vp a volume: she had to her second husband Thomas Iuy, a trade fellow, but welthie, which he had gotten in the East Indies (yet not soe rich as he was thought). He was knighted after the King's returne, but merited whippinge rather. I shall goe noe further in the storie either of him or her, at least in this place, but will returne to my grandmother, whoe died in Milk-streete, in the yeare 1656, and in the ninetie-fowerth of her age, in the same house where she had liued with her husband, Dr. Moundeford, vntill the death of my mother her daughter, and then her owne house beinge too streight to receaue my father and children, she and her husband came to my father into a large house in Phillip-lane, where my mother died, and there shee tooke care of her husband, 84 yeares old and blind, and of vs all, vntill my father maried his second wife, when she returned into Milk-streete, her husband alsoe beinge dead, where she continued vntill she died. She was buried in the parish church. As she was virtuous, pious, and charitable, soe was she very graue and comly. She had binn very handsom in her younger dayes, very streight and vpright, but not tall. She had wrought with her needle a sett of chairs and stooles, couch and cushons, which she gave me; a like suite which shee gaue my brother Moundeford Bramston. She made for and gaue to euery grandchild some peece of her worke. She could read without spectacles and walk in the house without a staff to her last sicknes, soe that she was not at all decrepit, yet tooke she soe much greife at the remembrance of the decease of her friends that she would often say she could not esteeme longe life a blessinge. She was cha-

The death of Mary Moundeford.

Her handwork.

ritable to the vtermost, nay, beyond her estate and abilitie. Her husband left her what he had, the lease of the house she liued in, and her life in a lease of the tythes of St. Buttolph, Aldersgate, held vnder the church of Westminster for three liues, viz. her owne, mine, and Mr. Thomas Randes. She out-liued the lease of her house; yet the Mercers, of whome it was held, neither raised her rent nor did suffer it to be let to any other (tho' it was necessarie to be new built). The tythes of Aldersgate failed much in the warr, in soe much that she could not pay the church-rent, Quakers, Anabaptists, and Presbiterians too refusing to pay, and the Maiors of London would not give the remedies by law appointed; she was therefore inforced to goe into Chancerie, where the remedie was equal or worse then the disease, as by experience I found, whoe, beinge her executor, and hauinge my life iointly with Tho. Randes in that lease, we pursued a suite in Chancerie begunn by her, and readie for hearing at her death, for fower pounds due from one Cooke, a joyner, and Atkins, a smyth. It cost vs to recouer that 4*l.* 200*l.* at least. I have bills for soe much by me, and yet most of the councill would not take fees of me. But the tythes failing, as I haue sayd, my aunt and my selfe payd the rent to the church; and yet she must haue wanted had she not binn otherwise assisted by my father, my aunt, and my-selfe; and yet in lowest condicion she was cheerfull and helpfull to her poore kindred, especially to her nephew Richard Archbold, one of the younger sonns of her sister. He had binn in my mother's life-tyme clerke to my father, taken from schoole, (his father and mother dead,) and continued with him in the house vntill he maried Joice Cornelius, at the time servant to my mother, but well descended. After he maried, my father imployed him still, and at my father's first readinge he was admitted in the Temple, and after called to the barr, and practised the law, and was in a fair way to doe very well, for my father put him into my Lord Peter's busines, whose courts he kept; he putt him also into my cousen Stepkin's business, but he grew proud, lasie, and

Richard Archbold.

drunken, and soe made little aduantage by this kindnes of my father, and in a little tyme he lost all these imployments, and my father being out of his place he and all his familie came to great want. My father, besides what he gott by his gowne, reserued for him halfe the profits of the Clerke of the Warrants. Jepson Towers, whoe executed the place, had the other moitie, soe diuidinge the profitts betweene his wife's cousen german and a neece of his second wife, Susan Blunt, daughter of Christopher Blunt esquire, whoe had maried another daughter of the Lord Brabason. I have recited our pedegree in the descent by father and mother; now I will say something of my father's sister and brother. Mary maried John Stepkin esquire, descended, I thinck, from German parents, who, by draining Wapping Marsh, had a great part for his share, and purchased the rest, which he then improued vastly, and lettinge leases to build, which caused infinite expence, the hungerie courtiers (I meane Scots) begginge the King's tytle to Wapping wall, as did the Earle of Carlisle, Sir James Hayes,* supposeinge the wall to be the King's, and that Stepkin had incroached. This suite [began], I thinck, before I was borne, and continued vntill I was at the inns of court, longe after the death of my vnkle. The Lord Wentworth, too, as lord of the mannor, sued; but neither gott any thinge by their suites, tho' I am perswaded the suites cost my vnkle and cousen Jo. Stepkin defending their ryte six or 7000*l.*, and it is not quiet yet. Of this mariage were borne seuerall sonns and daughters: John, Thomas, Roger, Peter, and Charles, fiue sonns, who liued all to be men, and with whome I was very conversant. The daughters were, Mary, Priscilla, Ann, Elizabeth, Frances, and Bridget; all liued to be woemen, and all maried but Priscilla. To all these my vnkle by his will gaue lands or houses except Elizabeth, whoe was forgotten by her father and not mentioned in the will; but my father beinge constituted chancellor of and by

Mary Bramston maried to John Stepkin.

His estate great, but very litigious.

Her children.

* Sir James Hay, ennobled by James I. whose successor advanced him to the earldom of Carlisle in 1622, and made him K.G.; he died in 1636.

the will (which was writen of his owne hand), he preuailed with her brother John, whoe gaue her as good a share and portion as the rest. John the eldest sonn maried to Mrs. Atwood, in Worcestershire, daughter of a very famous oculist, [of] whome this John learned much of his skill, tho' he improued by practice extreamely. By her he had manie children; most died younge, and in Worcestershire. Those that I knew were Edward, a handsome proper man, whoe, putting himselfe into armes with the Duke of Buckingham, his brother the Lord Francis * (killed in that expedition), and the Earle of Holland, and manie more gentlemen, in the yeare 1648, they were soone ouertaken by the armie of rebells, and defeated. Edward was taken and imprisoned in Warwick castle, from whence he escaped, gott into Holland, and not long after was killed in [a] duell. John, the other sonn, maried without his father's consent one of the daughters of Sir William Roe,† of Walthamstow, in Essex; a wild, leude, debauched fellow, a great lyer, and was not belieued nor trusted by any bodie; he left noe issue that I haue heard of. His father cast him off, and would haue giuen me his estate, nay he did soe by one or two wills, payinge his daughter Theodosia 2000*l.*; but when I heard what was done I renounced the thinge, and made him reuoke that will; and soe his daughter Theodosia beinge now a widow, he designed to marrie her to Anthony Browne,‡ sonn of John Browne, of Weldhall in Essex, and brought him to her (this Mr. Browne, the father and himselfe, had binn schoole-fellowes at Burntwood, and continued great comrades to their deaths); but they fell to drinkinge, and Anthony comeing to court her was sick in her lap, which gaue her such auersion to him that

John, the eldest sonn, whom he married, and what children he had, and what became of them.

Edward.

John.

Theodosia married,
1. Garret.
2. Iuy.
3. Bryan.

* Lord Francis Villiers was slain in an encounter with the Parliament forces at Kingston-on-Thames. Lord Clarendon speaks of his rare beauty and comeliness of person.

† The grandson of Sir Thomas Rowe, Lord Mayor of London 1568; seated at Higham Bensted in Walthamstow. He died in 1667.

‡ Anthony Brown, afterwards knighted, sold the family estate of Weald Hall to pay his father's debts in 1662.

she refused to see him when he came to Screenes (where she and her father were with my father), nor euer would be brought to see him more, which was a great truble to her father; and at winter they comeing to Wappinge, where she kept her father's house, he heard of Mr. Thomas Iuy, the sonn of a gentleman in Wiltshire (his father had 20 sonns, the last christned Vicessimus), newly returned from the East Indies, and very rich (as was reported, but proued not altogeather soe, yet rich), and him he brought to her, and with all told her she must haue this, or not his blessinge. She had displeased her father by refuseing Browne, and haueing neither seene nor heard any thinge amiss (for he had binn in the Indies a longe tyme) of him, he courtinge her with jewells and fine things, and makeing large promises, she consented, and was maried to him. How he vsed her in her father's life-tyme, and after his decease, how he libelled my father, what he printed in that libell "Alimonie arraigned," and how he afterwards forswore all therein to gett her to come and liue with him, as she did, and had a child, a daughter, by him, would aske a great deale of labour, tyme, inke, and paper, which it would be great pitie to blot and staine with; but he died at last, and she maried a third husband, Mr. Bryan, with whom she liued well, and in good credit, which since his death hath been blasted, as if she had forged some deedes. But it is not come to issue, and I belieue she will clere herselfe when matters come to an equall hearing before judges not prepossessed, as I hear some are that haue had the hearinge her cause, and she must lye quiet awhile.

Thomas, 2d sonn.

Thomas the second sonn was bread a solger in the Low Countries, where he was ensigne in Coll. Morgan's regiment. He putt him-selfe into the King's seruice, and sold his estate to equip himselfe, and went with Marquess Hambleton into Germanie; but that expedition not succeedinge he went farther vnto the Kinge of Sweden's armie, and was there killed in duell where 6 of the King's subiects, Scots and English, fought with 6 French; all were killed but a Scot.

Roger, 3d sonn. Roger maried, but had no issue; he wasted his estate, and dyed in the King's Bench prison, before he was 25 yeares of age.

Peter, 4th sonn. Peter maried after he had binn with my father, whose marshall he was; and when the warr begann, he and W. Bramston went into the King's armie, and were at Edgehill fight, but he had strooke his collonell, and was sentenced by a councill of warr to be shot; he escaped and tooke vp armes on the other side, and was in great esteeme with Cromwell; but yet, at last, quarrellinge with some of the officers, was in danger there also, and was in some of the Caualier risings, and one day Cromwell sent a partie to take him in his own house; he defended himselfe, and was killed. He left a sonn and a daughter, both yet liueinge, but I thinck had wasted and spent his estate.

Charles, 5th sonn. Charles, the youngest sonn, tooke armes alsoe on the Kinges side, out-liued the warr, and was knighted since the returne of his Majestie. He kept his estate and improued it; he left a sonn, which he bread vp at sea, is maried, and thriues, as I heare, but I haue not any the least acquaintance with him.

Daughters. All the daughters (except Priscilla) maried, and I thinck all their estates are sold to straingers, except the eldest, Maries; she was twice maried, first to one Handcorne; by him she had noe child; she was crooked; yet by her second husband, Wythens, she had manie children, sonns and daughters, and some part of her estate is in her familie still, but her sonns dyed without issue.

Margaret Bramston, my father's sister. Margaret, my father's younger sister, never married; she died at Boreham, where she liued in the parsonage with Mr. Thomas Rushee, brother by the mother.

William Bramston, my father's brother, his children. William, my father's younger brother, in his younger tyme trauelled with the Lord Fitzwater, and continued with him vntill he maried. He had by his wife seuerall children, William, Edmund, John, and Edward, 4 sonns; Mary, Elizabeth, and Katharine, 3 daughters. All these liued after both father and mother.

William after the death of his father went to Queenes Colledge in Cambridge, and from thence he came to the Midle Temple; and when the Parliament begann to raise an armie, he and Peter Stepkin went vnto the Kinge to Notingham, and continued in armes vntill the surrender of Oxford or Worcester. He was at Edge Hill, vnder the Lord Digbie, a volunteer; from thence he went Captain-Lieutenant to Sir William Russell, and commanded his horse in seuerall expeditions; he made composition for his estate and came to Screenes, where in the year 1648 he was, and there beinge a designe to rise in rescue of the Kinge, then a prisoner in the Isle of Wight, he putt himselfe again into armes, and the Parliament's armie comeinge sooner vpon them, they went all into Colchester, where he stayed duringe the seige, wherein they indured great hardship, and at last was surrendered at mercie; he compounded again, and was after this decimated. By these accidents he ingaged his lands deepe. Shortly after he came out of Colchester he married with a daughter of Sir George le Hunt, sister to my brother Moundeford's wife, and had children by her; but she dyinge he brake vp house, putt his sonn John Bramston (yet liuinge) to schoole, and his daughters 3 to board. He himselfe was for the most part with me at Screenes, where he died.

William, his eldest sonn.

He married a daughter of Sir G. le Hunt in Suffolk.

Edmund was bound an apprentice to a merchant, but not agreeinge well togeather he left him, hauinge married the daughter of his master's brother; by her he had a daughter. He and his wife and daughter went to the Barbadoes, haueing sold and spent not only what his father left him, but part of his sisters' portions which he had borrowed of his mother, and whiche she was faine to make good againe. His daughter married in the Barbadoes, well, as it was thought; but he sold his plantation there, and came into Ireland, where I thinck he and his wife are still, but in meane condition.

Edmund, the 2d sonn.

John, the third sonn, was putt to an atturney a clerke, but when the warr begann his fellow clerke, Harrison, perswaded

John, the 3d sonn.

him to take armes, (this is that famous rogue, Harrison,* one of the King's judges,) which he did that he might gett to the King, which he soone did; he was not come vp to the armie vntill after Edge hill, and soe never drew on that side, yet he tooke a commission, which he did that he might more easily gett neere the King's forces. He gott into Oxford, and from thence with Collonell Tho. Culper † into the West, where he continued with and under the Lords Hopton, Capell, and Goreinge, vntill all was lost there; then he gott into Flanders, and there serued vntill his Majestie Kinge Charles the Second goinge into Scotland, and he and some others putt themselves on shipboard, and were taken in Leithe, and putt into Edenburrough Castle a while, after sent prisoners into the Fleete, where I found him and one Riuers, his companion, stript of their clothes, and in sailers' wastcoates; there he lay a yeare; at length wee gott him bayled, by the helpe of Charles Fleetwood, whome I have before mentioned. At the returne of his Majestie I procured for him a companie in Ireland, which the Duke of Ormond gaue him; there he continued vntill the Dutch warr, when the Kinge sending for some of the armie from thence, he came with his companie, and was at sea in 2 or 3 fights, which he suruiuinge and the warr ended, he went back into Ireland with his men, and nowe beinge growne into yeares, and hauinge saued some monie, and sold his command, thought he had a competencie, and soe came into England, where he hath binn very kind to his sisters, and their children. He is yet liueinge.

Edward, the 4th sonn.

Edward, the fowerth sonn, was bred vp as a merchant, but his brother Edmund had borrowed and wasted the greatest part of his fortune. I procured him a waiter's place in the Custom House, where he continued some tyme, liued well, and gott some monie; but the commissioners being changed often,

* Major-General Thomas Harrison, excepted out of the general pardon, and executed at Whitehall, October 13, 1660.

† Query, Culpeper?

he at last was remoued, and I could not gett him in againe, soe I feare he spent what he had gotten, and is since dead.

The daughters were all married, Mary to Mr. Richard Argall, second sonn of John Argall, of Badow, esquire. He was bred up in Emanuell Colledge. A wittie man he was, a good scholler, and tooke orders, and was Rector of Eythrope Roothing, in Essex, and after the King's returne Sir William Wyseman* gaue him Riuenhall too.† There he dyed, leauinge a widow and one daughter, Mary, which he maried to Captain Blackman, as he thoght richly, but he proued a cross ill-natured man, and vsed his wife very badd, though she were very observant, very discreete, and deserued extreame well of him, but he, after she had by him a sonn and daughter, went to sea, and in the voiage dyed; the two children alsoe dyed, so that what he left his wife had, little enough to keepe her; she is yet a widow, she and her mother liueinge togeather. Elizabeth married twice, first to one Yalland, I thinck his name was, a meane fellow, and a begger, but he died and left her as he found her, I meane with her estate, and without a child. She then maried with Richard Freeman, Doctor of Diuinitie, and since the Kinge came home Rector of one of the portions of Springefeild;‡ they are both dead, he died first, and left her a sonn, John Freeman, an atturney at law, and very hopefull in his way. Katharine the

The daughters, how married.

* The family of Wiseman, so frequently alluded to in these pages, were descended from John Wiseman, who had settled at Bullocks, in Great Waltham, early in the reign of Henry VI. They afterwards attained some eminence, and are said to have possessed 7,000*l.* rental in the county of Essex during the 17th century; and three of them were created Baronets, William Wiseman, of Canfield Hall, and Richard Wiseman, of Thundersley, in 1728, and Sir William Wiseman, knt. of Revenhall, the person here mentioned, in 1660. All these honours have long been extinct, and Morant speaks of the name as almost unknown in the county in 1768.

† In 1662. He held both livings, with the Rectory of Snoreham, also in Essex, till his death in 1670.

‡ Springfield Richards; he died in 1662.

third daughter maried one Antrobus, an atturnie at law, but gott litle by his profession, spent what he could; to help him my brother made him one of the Atturnies of Rumford Court, which he sold for 40 or fiftie poundes; at last he died, left a poore widow and fower children, a sonn and 3 daughters. This William died in the year 1639.

John Bramston, eldest sonn of Roger, maried Bridget Moundeford; his children by her.

By his wife Bridget Moundeford John Bramston had manie children, some that died before his wife, Bridget, Mary, Thomas, and others; eight suruiued her, but two died soone after her; six suruiued both father and mother, viz. Dorothie, Mary, and Katharine, 3 daughters; John, Moundeford, and Francis, three sons. Dorothie the third child, but eldest that suruiued her, maried to Sir William Palmer,* then of Hill, now of Old Warden in Bedfordshire, who had manie children, sonns and daughters, as Mary, maried to Thomas Soame, esquire, of Burnham in Norfolk; they had a sonn John Soame: but all three now dead. John, a very hopefull man; he was a very good scholler, and a fine well-qualified gentleman; died when mariageable; a great loss to, I may say ruine of, their familie. Dorothie maried to Christopher Goodfellow, serieant at law, and a sober discreet man, and a very good lawyer; he was called to be a serjeant at the same tyme with my brother Francis. William, who maried the widow of———Clerke, both now liueinge, but she proues a very peruerse vnagreable wife, &c. I will say noe more of her, they haue noe child. Thomas,† bread vp at Eaton schole, and was fellow of King's Colledge in Cambridge, studied phisick, trauelled, tooke the degree of doctor at Padoa, and since his returne (is confirmed) or rather tooke that degree in Cambridge, for he kept

How they maried, Dorothie to Sir William Palmer.

* William Palmer, son of Robert Palmer, a London merchant, who had purchased lands at Hill, in Bedfordshire. He was probably knighted by Charles I., and in 1634 was a justice of the peace, and obtained a grant of arms. Lysons states that in 1773 the estates were alienated by Charles Palmer. This Sir William Palmer liued to be 77, and died the first day of March, 1682.

† A.M. per regias litteras 1669, and made M.D. in 1683 at Cambridge.

his act there very well. Edward,* bread alsoe at Eaton, and was fellow of Queenes Colledge in Oxford, studied diuinitie, but hauinge a weake infirme bodie fell into a consumption and died. Bridget, maried to Thomas Atkins,† of Bedwell Parke, in Hartfordshire, esquire, both liueinge, but haue no child, tho' longe married. Alice, she died after a woeman growne, but neuer married. Charles, at this tyme fellow of Queenes colledge, in Cambridge, an excellent schollar, in orders, and bachelor of diuinitie, and cannot miss of preferment if his health (for he hath but an infirme constitution) will permit him to take imployment. Priscilla, maried since the death of her father to John Mills, doctor in diuinitie. This Dorothie is now liueing, and without any the diseases of age, though in her 76th yeare.

Mary, maried to Jo. Porter. Their children.

Mary Bramston, maried to John Porter, of the Inner Temple, esquire, barester at law, second sonn of John Porter, of Lamberhurst, in the countie of Kent, esquire; a very sober discreete man, very well studied in the law, and could not haue mist of good preferment, if a weeke consumptive bodie and a turbulent tumultuous age had not discouraged him. They had manie children; Ann, maried in her mother's lyfe-tyme to Bedford Whitinge, merchant; he failed, and went into Lisle, in Flanders, where he liues, but shee is dead, as others of the children are, John and Thomas, which last wasted the estate, forsaking his profession of a marchant, and was killed in a duell at the Earle of Pembroke's, in Wiltshire; Jane, married to Mr. Sharpe, in Kent; Bridget, vnmarried; these two daughters are yet liueing, soe are two sonns, Francis, a barrister at law, and hopefull in his profession—he maried , daughter of Robert Bound of Chelmsford in Essex, and Richard was bound to an atturney, and serued out his tyme, but practises litle; at this tyme is Marshall in the Circuit to Justice Holloway, one

* He published an Elegy on the death of James Bristow, fellow of All Souls' College. —*Wood's Athenæ.*

† Ob. 1701; his widow in 1719.

Katharine, married to Sir Thomas Dyke.

of the Judges of the King's Bench. Katharine Bramston,* married in August, in the year 1639, to Thomas Dyke of Horeham in Sussex esquire, after knighted; they alsoe had manie children; Marie, maried to Dr. Thomas Quatremane, her phisitian: she was and is very valetudinarie, extreamely trubled with fitts of the mother; he is dead, she is liueinge; Katherine, maried to Sir Nicholas Tooke, in Kent; Sarah, maried to Reginald Williams, esquire, in Suffolk; Elizabeth, Dorothie, and Bridgett, all 3 now aliue and vnmarried. They had three sonns, John, Thomas, and William, whereof only Thomas is now aliue, a baronett, of very good esteem, as being a very good scholler, hauinge gone through the schole at Westminster, and hauinge aduantaged himselfe very much by trauill. Sir Thomas, the father, died and left his wife a widow, whoe is yet liueinge. These daughters suruiued theire father and husbands, as I haue sayd, and were all widows.

Toke.

The sonns of J. and Bridget. Jo. the 4th child, eldest sonn. Moundeford Bramston, 2d sonn.

Of the three sonns myselfe in age next to Dorothie, eldest sonn though the fowerth child, I shall speake of last. Moundeford, the second suruiuinge sonn, went from Mr. Farnabie's schoole to Queenes colledge, in Cambridge, and after a yeare remoued to Trinity Hall in the Vniversitie, where he was first schollar, afterwards fellow; and studied the ciuil lawe, and took the degree of bachilor, but, beinge inuitedouer to Sir George le Hunt's, in Suffolk (there beinge some consanguinitie betweene his lady, a daughter of Sir John Peyton, of Iselham, in Cambridgeshire, and my mother, and withall my father beinge then Cheife Justice), he fell in loue with a daughter of Sir George, and flatteringe himselfe with expectation of great matters from his father, pursued his loue so eagerlie that he obteined at last consent to marrie, as he did in August, 1639, to Alice le Hunt, a handsom, proper, virtuous woeman, and a very good wife, if

Maried Alice, daughter of Sir George le Hunt, and lost his fellowship.

* According to the Baronetages, the lady married William Quatermaine, of Pembroke College, Oxford, created M.D. in 1657.

† She died in 1695; her husband in 1669. M. I.

her portion could haue recompensed for the loss of his profession; by marryinge he lost his fellowship, and the warr fallinge in a litle tyme after, his profession too was gone, soe he turned grasier, and ioyned with Mr. John Vernon in stockinge of Marshes, which they payd 500 pounds annual rent for; my father vpon his mariage added to his wife's portion, which was 1000 marks, and bought lands in Bradlie, in Suffolk, and setled [them] vpon him and her, which he after sold and bought Bassets, in Litle Badow, in Essex, which he valued at 200 pounds per annum, where he liued and stockt the grounds and gott rid of his Marshe farme; he thought he gott by this course, but the euent shewed the contrarie. My father, at my earnest instance, gaue him a legacie of 500 pounds by way of codicill by my selfe, whoe receaued it only by word of mouth and without witness; he had in his will giuen him by way of legacie 200 pounds, but all would not free him from debts, but he went on in his way vntill the happie restauration of his Majesty King Charles the Second, when I procured from my Lord Chancellor a mastership in Chancerie, and the chancellorship to the bishop of Winchester soone after. His name was giuen him by Sir Edmund Moundeford, who gaue the same name to his second sonn, as he did to others his kinsmen, and putt them in hopes, as he did my brother, of inioyinge shares in his estate if he died without issue: but he deceaued them all. He had by the said Alice, his wife, very manie children; I thincke (borne aliue and abortions) 20. I will mention as many as I cann remember. His sons were, John, Moundeford, George, Francis, William and Thomas; all these now liueinge, except the eldest, John, whoe died at the Inns of Court; a sober, hopefull younge man. His daughters, Elizabeth, Mary, Alice, and Dorothie. Elizabeth maried Sir Barrow Fitch, of Woodham Water; Mary died vnmarried, a proper woeman, of great wit and virtue. Alice married Henry Mildmay, second sonn of Sir Henry Mildmay, of Wansted, but had the greatest part of the estate by

Turned grasier.

At the King's restauration is made master in Chancerie, and Chancellor to the Bishop of Winton.

His children, and how disposed of.

Elizabeth to Fitch.

Alice to Henry Mildmay, sonn of the rogue Sir Henry Mildmay.

his mother, a daughter of Alderman Holliday. The father, the vngratefull wretch, forfeited what he had by treason against King Charles the First, being one of the King's Judges in that pretended High Court of Justice, where he sate two dayes, and ought to haue dyed for that treason, but the number limited by the vote to 20 to die, he was only adiudged to be drawne on a hurdle, as was the Lord Munson, and Wallop, and Sir James Harrington, to Tyburne, and under the gallows, in a sledge, yearely on the 30th of Januarie, which was executed awhile on all but Harrington, whoe kept close, and escaped. Dorothie married Anthony Fisher, esquire, of Cambridgeshire. Their father, with the other masters in Chancerie, was knighted, and did the business of court to the satisfaction of the Lord Chancellor Hyde, Earle of Clarendon, and his successor, Sir Orlando Bridgeman, and after him the Earle of Shaftesburie, and his successor the Earl of Notingham, when my brother, growinge infirme in his bodie, but tormented more with his debts, he gott leaue to resigne to a friende the mastership, and soe he retired from busines, executing the office of chancellor to the bishop by his sonn George, to whome both my brother the Baron and my selfe were earnest he should resigne, but he would not, yet gaue him a reward out of the profitts for executing it. He declined euery day visibly, but would take noe aduise of any physitian, and vsed only a surgeon of Malden; soe in the yeare 1679, in October, he died, and left a widow, and all those children I haue mentioned. The industrie of all his sonns, except only Francis, is very commendable, and all like to doe very well in the world, beinge sober and diligent in their seuerall callings. The eldest, Moundeford, maried my youngest daughter, Elizabeth, without nay against my consent; yet I gaue her 1100 pounds to her portion, with which he bought the lease of Boreham parsonage, which, my grandfather maryinge, as I haue said, the widow Rushee, renewed of the church of St. Paul, for her sonn, Thomas Rushee, halfe brother to my father, whose sonn, Thomas,

Sir Henry Mildmay, his punishment

Dorothie to Anthony Fisher.

His death.

Moundeford Bramston, his son, maried Elizabeth Bramston, his cousen-german. Practises the law in Chancery.

Rushee, sold it to Moundeford Bramston; he followes the law, and is in good practice in Chancerie. His father putt him too soone into busines vnder him, so that he had not tyme to make any great progress in the studie, yet he takes paines, and I hope will in tyme haue fruits of his labor. The next, George,* is doctor of law, does the business of Chancellor † for Mr. Mor- lie, nephew to the bishop, and is commissarie to the Arch- deacon of Surrie in his owne right; he is still fellow of Tri- nitie hall, and is admitted at the Commons, and liues there in some practice, but very good repute. Francis was ensigne in the Guards, but he hath sold that, and liues on the monie, in hopes, by the helpe of freinds, to gett another imployment; but I doubt he will find that difficult. William is fellow of Queenes colledge, in Cambridge, a very schollar, a hard stu- dent, and a sober, grave man; he is in orders, and is very like to haue promotion; he is chaplain to the Duke of Northum- berland, the King Charles the Second his youngest sonn by the Dutches of Cleueland. Thomas, the youngest sonn, was bound to a clerke in Chancerie, and hath a deske, but is not admitted a clerke, yet his master dyinge, Sir William Parkins was very desirous the master of the Rolls would haue admitted him, and went with me to the master to preuaile with him to doe it, but he wantinge a litle tyme, Sir Harbotle Grimston refused vs both absolutely; he keepes the deske notwithstand- ing, and is in good busines, so that none of the chief clerkes but are desirous he should come into their office. He is since admitted and sworne a clerke, and hath a deske in another office vnder another chief clerk. Francis Bramston, 3rd sonn, whoe from Mr. Farnabie's schoole was remoued to Queenes college, in Cambridge. Dr. Martin,‡ then Mr. in the colledge, he hauinge shewed learninge and industrie and a great sobrietie,

George, Dr. of law, fellow of Trinitie Hall.

Francis.

William, in or- ders, Fellow of Queen's College, and Chaplain to the Duke of Northumber- land.

Francis Bram- ston, 3d sonn. Admitted in Queen's College, in Cambridge.

* He became in 1702 master of Trinity Hall, and held the appointment eight years.

† Of Winchester.

‡ Edward Martin, master of Queen's College, Cambridge, 1631, ejected 1644, re- stored 1660.

Tooke the degrees of Bachelor and Master of Arts.

doinge all the exercises of a student, and as Bachilor, and Master of Arts; but haueing noe healthfull bodie, Dr. Martin wrote to my father, then Cheife Justice, it was a great pitie soe great a soule should haue soe weake a bodie. A litle before the warr

Chosen fellow of that college.

brake out, Dr. Martin chose him fellow of the colledge, but he never receaued any profitt of his fellowship. And though John Coldham, a sequestred fellow, would haue had him to haue taken his share, which it seemes some of the fellowes contributed to the ejected fellows, yet he refused it, bidding him dispose of it to those who had more need. My father designed him once for a diuine, and he prepared himselfe for it; but the warr breaking out, my father admitted him of the Midle Temple, and, the madnes of the people continuinge, he was sent to spend his tyme better abroade, and he trauailed fower yeares in France and Italie, and after which he returned home

After which he fell to studie the law.

to his chamber in the Midle Temple, where he fell close to the studie of the law, was called to the barr, and in the year 1660 after his Majesties happy restauration, he was by patent vnder

Steward of some of the King's courts in Essex.

the seale of the Dutchie of Lancaster dated 30 August, 12th Charles II. made steward of some of his Majesties courts in Essex. He was steward alsoe of the court of the libertie of Haueringe, for both which had salaries allowed by his patents.

Of councill by patent of Cambridge.

In 1665 he was, by patent dated 24th Junij 1665, constituted one of the councill of the Vniuersitie of Cambridge, with a

Called to the Bench. Read on 3 Jacob. ca. 4.

salarie of 40 shillings per annum. In August 1668, he was called to the Bench, and read there vpon ye stat. 3° Jacobi, cap. 4, concerninge recusants. In the year 1669, he was called to

Called to be a Serjeant Michaelmas term, 69.

the degree of a sergeant-at-law. He was made steward of court

Steward of Whitechappel.

of Pleas at Whitechappel, with a salarie of 100 pounds per annum. He was, by patent dated 17 Junij 1678, made one of

Made Baron of the Exchequer.

the Barons of the Exchequer ad placitum; but most vnkindly, and altogeather vndeseruedly, he was by other letters patents

Discharged, as were 3 other Judges.

dated 29th April, 31° Charles II. discharged from that imployment; noe reason alledged that euer I could heare of. The Kinge at the same tyme discharged Sir William Wild, one of

the Judges of the King's Bench, Sir Edward Thurland, one of the Barons of the Exchequer, and Vere Bertie, who had bin another of the Barons of the same court, but at that tyme Judge of the Common Pleas.* His Majestie discharged and dissolued his whole Priuie Councill, and the next day made a new choice; he left out manie that had serued him faithfully, and tooke in some that had behaued themselues frowardly in the House of Commons. So that the whole thinge was really a proiect that some bodie putt into his head, tearming it a meeting with the affections and desires of his people. Some layd the proiection on Sir William Temple, some on the Lord Chancellor Finch. The Kinge, by patent dated the 4th of June followinge, granted him † a pension of 500 pounds per annum, ad placitum too, which was neuer payd but only 3 tearmes as I thinck, for at his death it was behind 3 yeares and halfe. After he was remoued, he kept his chamber and commons in the tearme tyme, but came not to the barr, expecting still his Majestie would recontinue his grace and fauour to him, which he was sure he had neuer forfeited by any act of his. He died the 27th of March 1683, at his chamber in Sergeants' Inn, and was buried the 30th of the same month in Roxwell church, as neere my father as could conueniently be done, a space for my own bodie left only betweene the two graues. He was of stature low, well sett, and inclining to fatt. He was a good Vniuersitie schollar, I mean logician and philosopher, moderated very often at those exercises in the house; he had a good measure of knowledge in the ciuill law, and in schoole diuinitie, an excellent historian, and thorowlie studied in the common law, which he made his profession, but hunted not after busines, neither truckinge with atturnies, nor fauninge or flatteringe the great men, he gained a good name and esteeme of all that knew him. In the litle tyme he sat on the bench, he shewed both courage and learninge, and a good facultie in dispatching

He had a pension of 500 pounds per annum granted him, which was payd but one year.

His death and burial.

His character.

* None of these Judges seem again to have been placed on the Bench.

† Francis Bramston.

busines. He bore his discharge without much repininge. The Lord Chancellor, the Earle of Nottingham, was not his friend, and Jones the atturnie his enemie, and influenced the Chancellor very much. He could not but hope the Kinge would restore him, and did not abate his way of liueinge, though his places were all gone irrecouerably; soe that keeping vp the port he had formerly liued in he contracted debts, and finding he could not receaue the arrears of his pension, (for the ministers would pay none,) I doe belieue it impaired his health; he thought puttinge on new and thin mourninge clothes for Sir William Palmer, then newly dead, he tooke cold, and fell sick, and neglected to take aduice of any physitian. I was at that tyme in Suffolk with Mr. Gurdan, whoe had maried a daughter of Sir Thomas Hody's;* my sisters, the Lady Palmer, and the Lady Dyke, came to him, and preuailed with him to send for Dr. Short, which he did, whome I found with him when I came to towne, which was as soone as euer I heard of his sicknes, but was not vntill the 24th of that month, saturday, and he died on tewsday following. He had made noe will when I came to him, though he hadd binn prest to it by those about him, his nephew, my son-in-law, Moundeford Bramston especially, and another nephew, Richard Porter, both which expected legacies. When I came my sisters told me they feared he had made noe will, and desired me to moue him to it, which I did that night, first askeing him for his will, (for I was told Serjeant Barton† had asked that question to him the day before, at the intreatie of Moundeford Bramston;) he sayd, You cann make noe thinge of it, it must be altered. I desired his key that I might fetch it out, and make it to his mind; then he said it was late, and he would doe it in the morninge. I tould him there were two things he must not denie me, one, as he was a good Christian, the other as a wise man, which were to take the communion, the other to make his will; he answered me he would doe both in the morninge; as

His last will and testament.

* Query Hodges?

† John Barton; made a Serjeant in 1662.

soon as I rose I renewed my request to him, for both which he gaue way to, soe I sent for Serjeant Goodfellow* to make his will, and for sisters and other relations to be witnesses, if need were, and I sent for a diuine, and so effected both my suites, for Serjeant Goodfellow comeing, I carried him vp, and left them togeather. He gaue directions for his will, and then he sent for me vp, and caused the serieant to reade it, which beinge done I putt him in mind of two that would miss him as much as any he had mentioned, which I named to him, dear neece Quatermane, and dear nephew Francis Bramston; Why then, sayd he, I will giue her 100 pounds out of the pension when it shalbe recouered, and I giue him 100 pounds out of what is due to me from my brother Moundeford Bramston's estate, and George paying that, dischargeing my estate from what I stand ingaged for my brother, I remit to George the rest. He had giuen R. Porter 500 pounds by will, and some legacies to his seruants, made me his executor, whoe was his heire; he gaue my daughter, Elizabeth Bramston, wife of Moundeford Bramston, the rent of his house on Wapping (which is 50 pounds per annum) for her life; the rest, his debts and legacies paid, he willed vnto me, indeed he gaue me all his houses and landes, as the will is penned, in trust to pay his debts and legacies, which now is done to the full, I haueinge sold his farme in Retendon for 930*l.*, to one Mr. Sharpe, a citizen, and a small parcell of ground in Wappinge to my sonn, whoe ingaged to pay R. Porter so much, Marks not sellinge for soe much as would satisfie all his debts and legacies. He had noe sooner finished his will but caused a diuine to be sent, with whome he had some discourse, and, beinge prepared, he tooke the communion, my selfe and sister, the Lady Dyke, communicating with him; this was on Sunday, 25th of March, our Lady day; he died on Tewsday, in the morninge early.

Of all the children suruiuing our mother and father there remaines only my selfe to be spoken of, which I shall reserue

* Christopher Goodfellow, made a Serjeant in 1669.

The death of Bridget, our mother.

vntill I haue done with them, I meane my mother and father. She died in the 36th yeare of her age, (whilst I was at schoole at Blackmore in Essex,) in Phillip lane, in the parish of Aldermanberie, and was buried in a vault in Milk-streete church, in the parish where, I thinck, she was borne (as was her mother alsoe if I mistake not the memoires aforementioned). In the same vault was her father, mother, some of her children, and some grandchildren; but the church being burnt in the generall conflagration of the citie, it was not re-edified, but the parish ioyned to another, the ground being conuerted to a market place. She was a beautifull, comely person, of a midle stature, virtuous and pious, a very obseruant wife, a carefull, tender mother; she was very charitable to the poore, kind to her neighbours, and beloued by them, and died much lamented by all that knew her. After her death her mother, Mary Moundeford, tooke the care of her children.

Her character as I have had it from my sister and grandmother.

After her death my father continued a widower vntill he had maried my sister, Dorothie, to Sir William Palmer, as hath binn sayd, and the other children grown vp, my selfe come to the Midle Temple, my sister Mary marriageable, my brothers at schoole, and my sister Katharine well grown, then, in the yeare 1631, in August, in the kingdome of Ireland, at Kilrotherie, he married with dame Elizabeth Brereton, relict of Sir John Brereton, his Majesties Serieant at Law in that kingdom; she was first the wife of George Mountgomerie, bishop of Clogher, in Ireland; she was one of the daughters of the Lord Brabazon, an antient familie in Staffordshire and Warwickshire; his sonn, her eldest brother, was created Earle of Meath in Ireland. She beinge a widow, dwelt in a house in Dublin called Litle Thomas Court, the earle himselfe liuinge in the Great Thomas Court, haueinge also a noble seat called Kilrotherie,* within 12 miles of Dublin, pulled downe in the late warrs. Another of the daughters of the said Lord Brabazon was maried to Mr. Ayel-

His mariage to Elizabeth, his 2d wife.

* *Hodie* Kilruddery.

mer,* of Monden Hall, in Hatfield, in Essex, and with her the said Elizabeth liued some tymes, where, through neighbourhood at first, Roger Bramston at that tyme dwelling in Boreham Parsonage, there grew acquaintance betweene them, I meane my father and the said Elizabeth, friendship and kindness, and a proposall of mariage,† but her father not likeing thereof, sent for her away, and she went into Ireland, where, as I haue sayd, she maried twice, and he maried, and had many children (she had neuer any child). They had neuer met after she went from Monden Hall but once, and that manie yeares befor their intermarryinge, nor did he applie to her by letters, and renew his acquaintance, loue and freindship, to her, vntil about a yeare before he went into Ireland, and was maried to her. In August that yeare, the circuit ended, he appointed me to come in his coach from London to Hill, in Bedfordshire, the house of my brother and sister Palmer, where he appointed to meete me; (the assise at Elie beinge ended too;) accordingly I came, not knowinge my father's intention, nor suspectinge any thinge, but one morninge my brother Palmer sayd, What if your father bee goeing to fetch a wife, how will you like it? I replied, whatsoeuer my father does shall please me, but where is she? Will you goe with your father into Ireland for her? I sayd, Aye, or without him if he command me. When my father came we begann our journey next day, and came to West-Chester, where we lay awake, expecting a wind. It beinge knowne my father was there, manie gentlemen came to visit him. We lay in an inn, the Red Lion, the master of the house at that tyme maior of the citie; and on the market day came a great many knights and ladies, and dyned at an ordinarie, the best and cheapest that ever I have seene. Wallie, soe was our host's name, told

How he came acquainted with her.

The first proposall of mariage not liked.

She maried twice; he once, and never renewed acquaintance vntill about a year before they maried.

His journey into Ireland.

* Munden Hall had been purchased by John Aylmer, Bishop of London, whose eldest son, Samuel, married Anne, eldest daughter of Edward 1st Lord Brabazon, by whom he had three sons and five daughters.

† Notitiam primosque gradus vicinia fecit,
Tempore crevit amor. *Ovid.*

my father the best and speediest passage was from Holiehead, but his coach could not goe thither, but his best way was to ride thither, and leave his coach at Chester; soe away we went next day. One Mr. Fountain and Sir Thomas Cary went alonge with vs, and passinge ouer the mountains Pen Men Maure, in the narrow passage wee met a gentleman, of whome Mr. Fountain and Sir Thomas inquired how the tyde was, whoe told them we might pass well if wee made hast, soe they putt on, wee followinge, not knowinge what had passed. Soe soone as they were downe the mountaine they fell to gallopinge. Neither my father nor my selfe vnderstood at first the meaninge; but, findinge the water grow deeper, for it came in rills, wee suspected the sea might be comeinge in, as it was, and soe I desired my father to gallop too. The sands, saue only in those rills, were carpet wayes. At last wee came to the place where they were (I meane Sir Thomas and Mr. Fountain), expectinge the ferrie boat, which was at Beaumaris, and the ferrimen drinkinge. Wee all made as loud a call as we could. We did see some fisherboats, and beinge in great perplexitie and feare, we all rode on brest vp the streame, purposeinge to trie if our horses (the worst comeing to the worst) would carrie vs ouer. I askt my father if he could swim; he sayd when he was younge he could. Sayd I, Wee will keepe vp the tyde, and with the helpe of our horses, and by swimminge, we may either gett ouer, or else some of the boates may take vs in. At last the ferriemen sett out, and came to vs, tellinge vs we were in noe dainger, but by such tyme as we and our horses were on board a ship might haue rode betweene vs and the shoare behind vs, and all was couered with water where wee stood longe before we gott to Beaumaris. There wee lay that night, and the next morninge wee rode to Holliehead, where we stayd expecting a wind, and the Welch parson putt himselfe to the truble to prepare an English sermon against Sunday, but the wind beinge faire on Sunday morninge we went on board, and left our host, black Hugh, and the parson,

to eate what was prepared for dinner. When we were out of the harbour the pilot laid himselfe all alonge on the deck on his back, and told vs wee should want noe wind, which proued true, for we had soe fresh a gale that in the eueninge, or litle in the night, we came to anchor vnder the head of Hoath, in Ireland; but in the night the wind changed, and we were forced, to preuent running against the rock, to putt to sea againe, and the next day landed at Bullock, six miles from Dublin, where we hired garrons to carrie vs to the citie; but Mr. Fountaine lent my father his owne nagg, which he caried with him out of England, he goinge, as did Sir Thomas Cary, to reside in that kingdome; but wee had only pads vnder vs, and halters, noe bridles, and euery man that lent a horse sent one to bring him back, who putt off his breeches, trussed vp his shirt, and rann on the roade before vs. We came to Dublin to our lodgings, taken for us by James Cornelius, whome my father had imployed on messages to the lady, and whome afterwards my father kept as his servant. He had binn an embroiderer, but he wayted on my father in his chamber, and when my father was Chief Justice he gott monie and maried, and when my father was out of place he turned grasier, out-liued my father, but is since dead. My father went that day to visit the lady, and next day he carried me with him. When I see her I confess I wondered at my father's loue. She was low, fatt, red faced: her dress, too, was a hatt and ruff, which tho' she neuer changed to her death. But my father, I beleiue, seeinge me change countenance, told me it was not beautie, but virtue, he courted. I belieue she had binn handsome in her youth: she had a delicate fine hand, white and plumpe,* and, indeed, proued a good wife and mother in law too. My father was to make vse of his tyme, and speede his busines, that wee might returne before the Michaelmas Rigg, as they call it, those seas

* This reminds us of Pepys, who remarked, when he kissed the Duchess of York's hand, that "*it was a most fine white and fat hand.*" Diary, July 27, 1668.

beinge very daingerous about Michaelmas, neuer faile of stormes a fortnight before or a fortnight after Michaelmas; wherefore within a day or two he wayted on the lady to Kilrotherie to her brother, the Earle of Meathe, and matters beinge agreed, the writings were drawne and ingrossed, and the mariage folowed soone after, and wee returned againe, intending to land at Holliehead, where were the horses, but the winds would not permitt; but wee putt ashore betweene Hollyhead and Beaumaris, sent for the horses, and came to bed at Beaumaris, where then liued one Cheadle,* that had maried the Lady Bulklye, and liued on the seate, which is noble, the parke comeing downe to the sea, &c. From thence wee ferried ouer, takeing our tyde better. As shee rode ouer the sands behind me, and pulling off her gloue, her wedding ringe fell off, and sunck instantly. She caused her man to alight; she sate still behind me, and kept her eye on the place. Directed her man, but he not guessing well, she leaped off, saying she would not stirr without her ringe, it beinge the most vnfortunate thinge that could befall any one to loose the weddinge ringe; made the man thrust his hand into the sands (the nature of which is not to bear any weight but passinge); he pulled vp sand, but not the ringe. She made him strip his arme and put it deeper into the sand, and pulled vp the ringe; and this tyme he and shee, and all that stood still, were sunck almost to the knees, but wee were all pleased that the ringe was found. Gott vp to horse againe, and ariued at the great hill, she beinge behind me. As wee rode, her feet hunge, as it were, ouer the rocke

His marriage to her at Kilrotherie, in Ireland.

* The descent of the Bulkeley family given in all the Peerages seems incorrect and confused; but it would appear from more authentic sources that Sir Richard Bulkeley, the eldest brother of the 1st Viscount of the name, married Anne daughter of Sir Thomas Wilsford, of Idlington, in Kent, who, after his decease, became the wife of *Sir Thomas Cheadle*, and is the lady here mentioned. Colonel Richard Bulkeley, eldest son of the 1st Viscount, was killed in a duel with *Thomas Cheadle* in 1649, who had previously been Deputy Constable of Beaumaris castle, and was probably related to the widow's second husband.

into the sea, and by degrees wee came soe high that shee was not able to sitt any longer, she was so affrighted; and the way was so narrow that she was taken backward from off the horse from behind, and soe she walked, as we all did, ouer the hill, the rock beinge extreame high, both from our feete to the sea and aboue our heads too, so that we rode and walkt, as in the midle of the rock. Soe we came to Conway, and there we lay, and from thence to Chester; and we takeing coach there, we came by easie journeys to Hill, to my brother Palmer's, and, resting there a few dayes, we came to London, to Phillip-lane. But after a while my father tooke a house neerer his busines in Boswell court; and after a year or two he bought a house in Warwick-lane, and liued in it. The plague and the warr driuing him and his familie out of towne, he let that house to Phesant, and liued altogeather at Screenes, where his wife afterwards, in the year 1647, in the Whitson weeke, dyed, and lies buried in Roxwell church. But now to returne to my father. I haue alreadie sayd that my father was made Lord Chief Justice in a very turbulent tyme, which that it may appeare, it is to be knowne that the Kinge Charles the First, with the crowne from his father, King James the First, receaued the ingagement of a warr with the Emperor and King of Spaine, whoe had depriued the Pallsgrave (his Majesties brother-in-law, whoe had married Elizabeth his sister,) of his inheritance, the palatinate, and his electorship; which warr Kinge James, much contrarie to his nature and judgment, was putt vpon by his people and Parliament, whoe yet granted him very meane supplies, soe that he could not carrie on the warr with any effect. They gave him only two subsidies, quarrell his ministers and his adiournement of the Parliament, and drew up a Declaration, enterd in their journall, concerning the palatinate and warr, and at their recess present him with a Petition and Remonstrance, entred alsoe in their journall, which the Kinge (James) with his owne hand tore out of the booke. Haueinge dissolued the Parliament, he

Her death and buriall.

Some account of matters at the death of King James.

committs Sir Edward Cooke and Sir Robert Phillips to the Tower, Mr. Pim, Mr. Selden, and Mr. Mallorie to other prisons. Sir Dudlie Diggs, Sir Thomas Crew, Sir Nathaniel Rich, and Sir James Perrot, were sent into Ireland, with others, as Commissioners to inquire of the King's reuenew, and other things concerninge his seruice. After some tyme he called another Parliament, haueinge resolued to breake off the treatie with Spaine, (Sir Richard Weston haueinge discouered the insinceritie of their dealings with the Kinge; he secretly too had sounded the French concerning of much there), and asked the aduice of both houses. They aduise the breaking off the treatie with Spaine, and to recouer the palatinate by armes, and offer him 3 subsidies and 3 fifteens if he brake off the treaties; but withall they prepare a petition against the recusants, which the Kinge answered, accepts the supplie, grants a generall pardon, and adiournes the Parliament, raises an armie for recoverie of the palatinate under the command of Count Mansfeild, and soe dying left his son in law, his daughter, and their children in exile, and the Kinge Charles I. his sonn ingaged in honor to pursue the councill given by the Parliament to his father; whoe callinge a Parliament, which begann the 17th of May (viz. 1625), he demanded aides for pursueing their counsells; they give him very scant supplies, but 2 subsidies. Now the subsidie was fallen extreamely, partly by fault in the commissioners, but cheifly for that the estates of the lords and other great men, and of the church, were diuided, and come into the hands of the gentrie and other inferior men, whoe were all to be allowed mainteinance for themselves and families to their qualities, ports they liued in, the number of their children, and the wayes they liued in. For in raisinge subsidies the same course by law ought to be taken as in lettinge lands, where the tenant computes his charge of plowinge, expence of his house, the towne charges of all sorts, which beinge deducted he setts the rent. The two subsidies granted rose but to a small summ; whereas the

Kinge Charles I. calls a parliament,

which grants 2 subsidies.

The reasons of the fall of subsidies.

charges of the warr and nauie by computation required 700,000 for a year. They compleine of greiuances, yet the Kinge was scarce seated in his throne, soe that noe considerable grieuance could be in his tyme. They accused the Duke of Buckingham and other ministers, and demanded account of the treasurers of the palatinate warr. Soe the King, findinge their humors, on the 12th of August dissolved the Parliament, after he had testified his zeale for relligion by an Act to preuent abuses on the Lord's day, by another to preuent tipling in inns and alehouses. And his care of his subiects' ease appeared by his passing the Act for the obteininge and pleading licences of alienations. This Parliament, by reason of the sicknes, was adiourned to Oxford.* The Kinge called another Parliament, to beginn 17th day of Marche, 1627, the 3d yeare of his raigne, where he passed another Act for farther reformation of abuses on the Lord's day, another to restreine the passing and sending any to be popishly bred beyond the seas, another for suppressing vnlicensed alehouses. In this Parliament they appoint a committee for secret affaires, and a comittee for relligion; they article against Mountague. The Kinge sends by Secretarie Cooke a message to hasten a supply, his Maiesties occasions requiringe it. The Lords send for a conferrence with the Commons on that subiect; the Earle of Pembroke represented the affaires of Christendome, and concluded demandinge a speedie supplie, which the Commons heard with a deaf eare; at their returne they call for the report from their committee of the euills and their remedies; and, doe what the Kinge and the Lords could (the Lords had appointed a committee to consider of the safety of the kingdome, which had proposed wayes and meanes neces-

The parliament dissolued 12th August.

2d parliament begins 6th February, 2 Car. I.; it was dissolued, and another, the 3, called 17th March, 1627.

* The second parliament began 6th February, 1625. Before the day of the meetinge the Kinge was crowned. In this parliament were the speeches of Mr. Cooke and Dr. Turner, and other refling [ruffling?] speeches; in this Bristol and the Duke article one against another, and the Commons against the Duke; but the King dissolved it and called another, which is the 17th March, 1627.—*Note by the Author.*

sarie), yet the Commons (the message vpon message came from the Kinge by Sir Richard Weston and others,) followed the scent soe hott, and pursued the Duke fircely; yet to make a shew they voted 3 subsidies and 3 fifteenes, to be payd in June and October, after their greiuances were presented to the Kinge and answered by him, and ordered a Bill to be brought in soe that vnless they had their wills the Kinge must have nothinge, let the affaires of Christendome, the palatinate, and the King's honor shift as they would. The Kinge calls both houses before him, thancks the Lords, but tells the Commons they committed errors, proceeded very vnparliamentarily, and leaues the particulars to be declared by the Lord Keeper, whoe takes notice of a speech by Mr. Cooke, which he calls seditious, yet not punished by them. He alsoe tells them of Dr. Turner's speech, pretended against the Duke of Buckingham, but in trueth wounding the honor of the Kinge, that they have suffered the greatest councill of state to be censured and traduced in the house by men whose education hath not fitted them to vnderstand those matters; he tells them that the supplie intended is not answerable to the occasion, that the manner is very dishonorable, and full of distrust, and commands them to goe togeather and consider of a farther supplie, and by Saturday next returne their final answer, what farther supplie they will grant. Exceptions beinge taken that the Kinge prescribed a day for his supplie, at conferences betweene the two houses the Duke of Buckingham explaines the Kinge and the Lord Keeper's meaning, which notwithstandinge the Commons made a remonstrance to the Kinge concerninge the same, and denie that Mr. Cooke spake the words mentioned by the Kinge, nor any other seditious words, and the like they say for Dr. Turner; and soe in all things iustifie themselues, their members, and their proceedings, shewinge plainly they would carrie no coals,* beare

* "Carrie no coals," an English phrase occurring at the beginning of Romeo and Juliet, and in some of our early plays, but perhaps nowhere is its meaning more evident than it is here.

noe reproofe, nor suffer themselves nor any of their members to be thought lyable to error. The Commons draw vp a charge against the Duke of Buckingham, at the presentinge of which Sir Dudlie Diggs began by way of introduction, and euery article as it was read was descanted vpon, and inlarged by Herbert, Selden, Glanvill, Pym, Sheland, and Wainsford, and Sir John Elliot concluded and closed by way of epilogue. The prologuist and epiloguist were committed to the Tower, for words at the conferrence. The Commons desire the Lords to committ the Duke, beinge impeached by them, and alsoe as they are informed by a peer (the Earle of Bristow). The Commons by protestation seuerally acquit Sir Dudlie from speaking the words, which satisfied the Kinge. The Lords alsoe (that is 36 of them) make the like voluntarie protestation, that he spake noething that might trench on the King's honor. The Kinge releases him and Sir John Elliot out of the Tower; and then the Commons vote that he exceeded not his commission, the like vote for Sir Dudlie Diggs, soe for Mr. Selden, Herbert, &c. The Duke putts in his answer to the charge. The Kinge sends to the Commons to expedite the busines of the supplie speedilie, without any condition, sayinge he would take any delay for an absolute deniall. They deliuer their answer by their Speaker, and, haueinge prepared a Remonstrance or Declaration against the Duke, and concerninge tonnage and poundage taken by the Kinge without consent in Parliament, and haueing intimation that the Kinge intended that day to dissolue the Parliament, they ordered euery member of the house to haue a copie of it. The King sent a commission and dissolued the Parliament.

At this Parliament Sir John Finch was Speaker (his kinsman Sir Hennage had binn soe in the former), where the Kinge told them the cause of meeting is the common dainger, and supplie the cheife end. The Lord Keeper more largely sett out the dainger and interest of this nation. They setle their committees, petition for a fast, which the Lords ioyned in. They fell to their haranges on greiuances, billetting soldiers, loanes by beneuo-

lences and priuie seales (by which the Kinge, haueing made vse of his prerogatiues, had supplyed his necessarie occasions), and imprisonments on that account, and the remanding them vpon their habeas corpus, and seueral resolues were made concerninge the same heads. The Kinge presses for the supplie, as I have said before; but they petition and justifie themselues. The King answers, it is a tyme for action, not speaking, much less disputinge, and requires them to goe on with their business, giueing credit to him that sits at the helme, it beinge their dutie soe to doe, his to hasten them, as knowinge best the necessitie. But the house was putt into a grand committee, and spent their tyme in debates concerninge marshall law and conferrences with the Lords about the Petition of Right, at which the Lords deliuered propositions, with which the Commons not beinge satisfied, the Kinge sends for the Commons to the Lords' house, where the Lord Keeper by the King's command tells them that his Maiestie holds the statute of Magna Charta and the other six statutes insisted on for the subiects' libertie to be all in force, and assures you that he will manteine all his subiects in the iust freedome of their persons and safetie of their estates, and that he will gouerne acordinge to the laws, and that you shall find as much securitie in his Maiesties royall word and promise as in any law that you cann make. But the Commons would not trust nor take words, tho' of a Kinge; they appointed a committee of lawyers to draw a Bill which may conteine Magna Charta and the other statutes for the libertie of the subiect, which tooke vp tyme, and the necessitie of affaires pressinge the King, he sent a message by Secretarie Cooke to know whether they would relye on his royall word, or noe, declared by the Lord Keeper, which the Secretarie inforced strongly, and with great reason; but others spake otherwise, as Sir Edward Cooke and Sir Thomas Wentworth,* which last with a florish that neuer any House of Commons trusted more in the goodnes of their Kinge

* Afterwards Earl of Strafford.

for theire owne priuate [ends]; but they were ambitious that his Majesties goodnes might remaine to posteritie; that they were accoumptable to a publique trust; and because there had binn a publique violation by the Ministers, noethinge will satisfie but a publique amends, and that must be by Bill, which tooke with the House. O vnhappie man! to giue any incouragement of distrust at this tyme! Once before he aduised the pressinge the Lords to commit the Duke, sayinge, Take him from the King's eare, and you will haue witnesses enough; but whilst he is soe neere the Kinge few will dare to speake their knowledge, which councill afterwards was made vse of against himselfe. And they made this speech the subiect of another by their Speaker, which the Kinge answered by the Lord Keeper, that the Kinge was content they should proceede by Bill if they judged that the best way, but then it must not be with paraphrases, additions, and explanations; and that, without farther replies, messages, or other vnnecessarie delayes, they doe what they meane to doe speedilie, mindinge them of the message lately to both Houses, that his Majestie intends shortly to end this sessions. At the returne Secretarie Cooke prest the House to relye on the King's word; but Sir Edward Cooke inflamed the House, sayinge, was it euer knowne that this House euer tooke generall words for satisfaction for particular greiuances. Soe the House was turned into a Committee of the whole House, and they went on and finished their Bill and Petition of Right, and shortly after the petition was caried vp to the Lords, and a speech made at the deliuerie in a conference with the Lords by Sir Edward Cooke (whose discontents, and the grounds thereof, were sufficiently knowne). After this the Kinge writes a most gracious letter to the Lords, to be communicated to the Commons, which was done by the Lord Keeper in a speech; but the Commons layd it aside, it beinge a letter of grace (sayes Sir Thomas Wentworth), but our petition is of right. The Lords would haue sweetened some expressions, by adding, "We pre-

sent this our humble Petition to your Majestie with the care not only of preseruing our owne libertie, but with due regard to leaue intire that soueraigne power wherewith your Majestie is intrusted for the protection, safety, and happines of the people;" but the Commons reiected it, and the Lords agreed with the Commons touchinge the Petition of Right, and the Kinge came to signe it; which beinge read, the Kinge answered, The King willeth; but the answer not beinge satisfactorie, the Commons fell into debate on the answer. Therevpon the Kinge caused it to be entred, "Soit droit fait come est desiré." This answer seemed to please; yet they went on with other grieuances, the Commission (which they called of Excise) for raisinge monie to supplie the extraordinarie occasions of the Crowne. They were sent for to the Lord Keeper, to which they had answer (as is hereafter.) They haue fresh debates in the House against the Duke, and make some additions to the Remonstrance; send to the King for access, and command the Speaker to deliuer it. Soone after the Kinge sent a message that he intended to end the session the 26 of June, wherevpon the Commons fall vpon the Bill for tonnage and poundage. The Kinge sends to the Houses to dispatch, to entertaine noe new matter, nor any that may require longe debates, for he resolues to keepe the day for endinge the session. This putts them into heates, and Sir Edward Cooke declares the Duke of Buckingham the cause of all our miseries. The Kinge by the Speaker commands the present adiournement of the House, which was done. At their returne they remonstrate against the Duke of Buckingham, and ordered the Speaker to deliver the remonstrance. The Commission (which they called of Excise) for raisinge monie was vnder the Great Seale to all Priuie Councellors, dated the last of Feb. 3d Car., which, beinge sent for, as is sayd, and which was sent to them; wherevpon Sir Edward Cooke at a conferrence made many obseruations, which the Kinge cancelled, and signifies as much to the Lords, who communicated the same to the Commons, tellinge them it was

but a warrant of aduice which his Majestie knew to be agreable to the tyme and the maniefold occasions then in hand, but now haueinge a supplie from the loue of his people he esteemed the Commission vseless, and therefore hath commanded the cancelling the same in his presence. The Commons frame a remonstrance concerning tonnage and poundage, and whilst it was readinge the King comes and ends the session, prorogueing the Parliament to the 20 of October next. In the intervall betweene this and the next session Dr. Manwaringe preached a sermon called Relligion and Allegiance. The Kinge grants forth a commission to compound with Recusants. Certain priests taken at Clerkenwell are sent to Wisbech Castle, and the King intituled to the goods taken in their house. Sir Richard Weston in July from Chancellor of the Exchequer is made Lord Treasurer; Dr. Lawd translated to London from St. Dauid's; Dr. Manwaringe and Dr. Mountague pardoned; Mountague made Bishop of Chichester. The Duke of Buckingham was killed by Felton the 23d of Aug. 1628, who confessed he was principally moued to that fact lookeing on him as an euill instrument in the commonwealth, and that he was conuinced thereof by the Remonstrance of the Parliament. The King's officers collect tonnage and poundage. Some that refused payment were committed by the Lords of the Councill; amongst others one Chambers, whome the Judges vpon an habeas corpus bayled. The officers seised goods of seuerall merchants, Vassall and Rolls,* a member of Parliament. On the [1st] of October the Parliament was againe prorogued to the 20 Januarie; dissolued the 10 of March. This was the 3d Parliament called by this King Charles I.

The D. of Buckingham killed by Felton.

Parliament dissolued.

It is to be obserued that before the Petition of Right was assented to by the Kinge in the tyme of the Parliament, after it had passed both Houses, and the Lords had presented to the King a protestation in these words: Wee, the Lords Spi-

* Samuel Vassall. John Rolls, a London merchant, then burgess for Callington.

ritual and Temporall in your High Court of Parliament assembled, doe humbly and vnanimously declare vnto your Majestie that our intention is not to lessen or impeach any thinge that by the oath of supremacie wee haue sworne to assist and defend. After which (as I find reported by Sir Nicholas Hyde, then Lord Chief Justice of the K. B., vnder his owne hand, which I with my hand transcribed, and haue by me), the 16 of May, the Kinge sent for him, and Richardson, Chief Justice of the Common Pleas, to attend him at Whitehall, where the King deliuered them a case, and required them to assemble all the Judges, and to giue theire answer therevnto vnder all their hands. The case was, 1. Whether in noe case whatsoeuer the King may not commit a subiect without shewing cause. Whereto the same day they made answer, Wee are of opinion, by the generall rule of law, the cause of commitment by his Majestie ought to be shewne; yet some case may require such secrecie, that the Kinge may commit a subiect without shewinge cause for a conuenient tyme. Which being deliuered to his Majestie, subscribed by them all, the King gaue them (the 2 Chief Justices) another case, and required their answer as before. The case was, 2. Whether a habeas corpus be brought, and a warrant from the King, without any generall or speciall cause returned, the Judges ought to deliuer him before they vnderstand the cause from the Kinge. They answer, That, vpon an habeas corpus brought by one committed by the Kinge, if the cause be not generally or specially returned, soe that the Court may take knowledge thereof, the partie ought, by the generall rule of law, to be deliuered; but if the case be such as requireth secrecie, and may not presently be disclosed, the Court in discretion may forbeare to deliuer the prisoner for a conuenient tyme, to the end the Court may be aduertised of the trueth thereof. This was alsoe subscribed and deliuered as the former, when his Majestie gaue a third case, 3. Whether, if the King grant the Commons' Petition, he doth not thereby conclude himselfe from

1 Question.

The answer.

2 Question.

The answer.

3 Question.

committing or restraininge a subiect for any tyme or cause whatsoeur without shewing cause. Euery law after it is made hath its exposition, and so this petition and answer must haue an exposition, as the case in the nature of it shall require, to stand with justice, which is to be left to the Court of Justice to determine, which cannot perticularly be discerned vntill such case shall happen; and, although the petition be granted, there is noe feare of conclusion, as in the question is intimated. Soe the King gaue answer to the petition, as is before sayd, and the Parliament was adiourned to October (as is sayd.) The answer.

I alsoe find reported by sayd Sir N. Hyde, Chief Justice, that vpon the 2d day of March 1628 the Kinge directed an adiournement of the Commons House vntill the xth day of the same month, which receaued some opposition, and some members behaued themselues soe as gaue offence to his Majestie, whereupon the next day (3 March) the 2 Chief Justices and Chief Barron were sent for to the Councill, where alsoe was his Majestie, and a declaration was read of the speeches vsed and the behaviour of diuers of the members of the Commons House the day before, which beinge done, the King commanded the said thre Judges to meete and answer such questions as should be proposed to them by his atturney, and for theire assistance they should call such of his learned Councill as were in towne; whereupon they, the Atturney * and Sollicitor, Sergeant Crec and Sergeant Dauenport,† met, and these questions were proposed, and the answers made by vniforme consent, as followeth.

1 Question concerninge crimes in the House of Commons.

Whether a Parliament man offending the King criminally or contemptuously in the Parliament House, and not there punished, may be punished out of Parliament? Wee conceaue that if a Parliament man, exceedinge the priuilige of Parliament, doe criminally or contemptuously offend his Majestie in the Parlia-

The answer.

* Sir Robert Heath.

† Humphrey Davenport, knighted in 1624, and made King's Serjeant the following year, and in 1630 Chief Baron of the Exchequer.

ment House, and not then punished, may be punished out of Parliament.

2 Question. Whether the Kinge, as he hath power of calling or dissoluinge of a Parliament, hath not alsoe an absolute power to cause

3 Question. it to be adiourned at his pleasure? Whether, if the Kinge doe command an adiournment to be made, he hath not alsoe power to command all farther proceedings in Parliament to cease at that tyme? Wee conceaue the Kinge hath power of commanduinge adiournments of Parliament, as well as of callinge, prorogueing, and dissoluinge; but for the manner there, and for the more perticular answer to these two questions, wee refer ourselues to the precedents of both Houses.

4 Question. Whether it be not an high contempt in a member of the House, contrarie to the King's express command, tumultuously

Answer. to oppose the adiournement? The King's express commandment beinge signified for adiournement, if any after that shall oppose it tumultuously, farther or otherwise then the priuilidge of the House will warrant, this we conceaue is a great contempt. Vpon deliuerie of this answer his Majestie sent this

5 Question. farther question, Cann any priuilidge of the House warrant a

Answer. tumultuous proceedinge? To which they answer, Wee humbly conceaue that an earnest, tho' disorderly and confused, proceedinge in such a multitude may be called tumultuous, and yet the priuilidge of the House may warrant it.

6 Question. If a few Parliament men doe conspire togeather to stir vp ill affections in the people against the Kinge, and to leaue the Parliament with such a loose,* and by words or writinge putt in execution, and this not punished in Parliament, be an offence punishable out of Parliament? We conceaue this punishable

Answer. ont of Parliament.

7 Question. Whether if some Parliament men shall conspire togeather to publish papers conteininge false and scandalous newes against

* Sic. in orig.

the Lords of the King's Councill, or any one or more of them, not to the end to question them in a legall or Parliamentarie way, but to bringe them into hatred of the people, and the Gouernement into contempt, and to make discord betweene the Lords and Commons; if this be an offence punishable out of Parliament? Wee conceaue this punishable out of Parliament.

Answer.

If two or three, or more, of the Parliament shall conspire to defame the King's gouernment, and to deterr his subiects from obeyinge or assistinge the Kinge, of what nature is this offence? The nature of this offence will be greater or less, as the circumstances shall fall out vpon the truth of the fact. This answer not satisfyinge, his Majestie sent this addition, written with his owne hand. It is true the circumstances of the fact will aggrauate or diminish when perticular men come to be tryed, but I must know what the nature of the offence is being proued? Wee, in all humblenes, are willinge to satisfie your Majestie's commands, but vntill the perticular of the fact doe appeare wee cann giue noe directer answer then before.

8 Question.

Answer.

9 Question.

I find farther reported by the same Sir N. Hyde, at the beginninge of this tearme, (viz. 5 Ca. Pas.), All the Judges and Barons of the Exchequer were assembled at Serjeant's Inn, in Fleete-streete, by the King's commandment, and Mr. Atturney General, on his Majestie's behalfe, proposed these questions, which were answered as followeth.

Whether the statute 4 Henry VIII., intituled an Act for Richard Strode, were a generall law, concerninge all Parliament men, or only the sayd Richard Strode, and seauen others, perticular men who ioyned with him in preferringe bills in Parliament? They answer, It is a particular act for them, noe generall law.

1 Question.

Answer.

Whether if any subiect haue receaued probable information against another subiect, of treason, or of traiterous attempts or intentions against the Kinge, or State, that subiect ought not to

2 Question.

make knowne to the Kinge, or to the King's Commissioners, when he shal be thereunto required, what informations he hath receaued, and the grounds thereof, to the end the Kinge, beinge informed truely, may preuent the dainger. And if such subiect in such a case shall refuse to be examined, or answer the question which shal be soe demanded of him, for the inquiries and discoueries of the truth, whether it be an high contempt in him, punishable in the Star Chamber, as an offence against the

Answer. generall justice and gouernment of the kingdom? They answer, This not concerninge not* himselfe, but another, nor to draw him into dainger of treason or contempt by his answer, his refusall to answer is a contempt, punishable in the Starr Chamber.

3 Question. Wheather it be a good answer for any one that is thus interrogated, and shall refuse to answer, to say he was a Parliament man when he receaued these informations, that he spake thereof in the Parliament House, and therefore the Parliament beinge now ended he refuseth to answer to any question concerninge

Answer. the same but in Parliament House, and noe other place? They answer, If he had refused to answer absolutely, and peremptorilie, it were punishable; if he make an excuse which is noe good plea, or excuse but an error in judgment, it is noe offence punishable.

4 Question. Whether a Parliament man offendinge the Kinge criminally or contemptuously in the Parliament House, and not there

Answer. punished, may not be punished out of Parliament? They answer, If this be not done in a Parliamentarie way, he may be

5 Question. punished out of Parliament. If one Parliament man resolue, or two or more conspire togeather, to raise false and scandalous rumors against the Lords of the Priuie Councill and the Judges, not to the end to question them in a legall course or Parliamentarie way, but to blast them, and to bring them into hatred with the people, and the Gouernement into contempt, whether

* Sic. in orig.

this be not an offence punishable out of Parliament? They answer, It is an offence punishable out of Parliament. Answer.

If a Parliament man in the Commons House shall by way of digression say thus falsly, though King's Councill at Law and all, though the Judges and the Priuie Councill haue conspired togeather to trample the liberties of the subiects and priuilidges of Parliament vnder foot, is this an offence punishable out of Parliament, the words beinge spoken a month before the Parliament dissolued, the speaker of them neuer punished, nor sufferd for them by the House, nor after the speaking of them any legall proceedings had against any of them against whome the words were spoken? They answer, We desire to be spared to answer this question, it concerninge ourselues, and beinge included in the former question. 6 Question. Answer.

If a Parliament man beinge called *ore tenus*, being charged that he submitted not to an examination for such things as did concerne the King and Gouernement of the State, and were affirmed to be done by a third person, and not by himselfe, if he confess his hand to that refuseall, and make his excuse and plea because of the priuilidge of Parliament, whether he ought to be ouerruled to answer? The answer: We are of opinion that the justest way for the King and partie is not to proceed *ore tenus*, because it being a point in law it is fitt to hear councill before it be ouerruled; and, in case of an *ore tenus* by the rules in the Star Chamber, Councill is not admitted. 7 Question. Answer.

Mr. Atturney General read out of a paper the effect of a speech made in Parliament by Sir John Elliot, wherein amongst other thinges were conteined:—that the Kinge was lead by ill councill; that the Lord Treasurer was the head of the Papists, and that he was a cheife mainteiner of preists and Jesuites, and the Bishop of Winchester was hinderer of relligion, and he would haue all proclamed as enemies to the State that should exact or demand for his Maiestie tonnage and poundage, and they accessorie that should pay the same, and that he neuer knew any blasted in Parliament but a curse followed. His 8 Question.

question herevpon was—That if the substance of this be proved whether he were to be censured or not? They answer, They desire to be spared to give any answer to a perticular case which might peraduenture come before them iudicially; but they all disliked manie parts of the speech, and did conceaue it to be not accordinge to a parliamentarie proceedinge.

Answer.

The Parliament re-assembles.

At re-assemblinge of the Parliament the 20th of Januarie, they first search and inquire whether the Petition of Right be inrolled with the King's answer, which they found with the answer and the King's speech; they question the printer, whoe informes them he had the King's comand soe to doe. Then they fall into inquiries of the violations of the subiects liberties since the last session, euer contrarie to the Petition of Right, and question the Officers of the Customes, perticularly for takeing the goods of Mr. Rolls their fellow member, to whome one of the Customers, Mr. Carmarthen (as was alledged), sayd, If the Parliament were in you we will take your goods. This matter was referd to a committee, where vpon his Maiestie sent them a message (whilst they were in debate of the matters) to desist from farther debate of those matters concerninge tonnage and poundage vntill the next day in the after noone, when he would speake to them in the Banquettinge House; when his Maiestie told them he had not taken those duties as his hereditarie prerogatiue, but he tooke them as *de bene esse* vntill his people in Parliament (whose guilt he owed it to be) had giuen it him, assuring himselfe they wanted tyme not will to giue it him; "and therefore now you haueinge opportunitie I expect without loss of tyme you make good your profession, and by passinge a Bill putt an end to all the questions arising from this subiect." Munday 26th January, the Kinge sends them a message to take tonnage and poundage speedily into consideration; but they resolue to proceed in matters of relligion, and the committee tells them the papers (which was a remonstrance) were taken from their clerke by command from the Kinge, and they cannot proceede for want of them; wherevpon Secretarie

Quarrell the Customers for exacting tonnage and poundage.

The King disdaines takeinge as hereditarie right.

His Maiestie preses them to setle it by Bill.

Cooke deliuers them by order from the Kinge, and withall tells them that his Maiestie hoped they would proceede with the Bill for tonnage and poundage, and give precedencie to that business, and soe putt end to those questions between some of his subiects, or else he shall thinck his speech, which was with good applause accepted, had not that good effect which he expected. But yet they proceede with matters of relligion. The Kinge sends another message by Cooke Secretarie for procedinge with tonnage and poundage, which Sir Thomas Edmunds* seconded, to which Coriton † replyed, and the House resolued to giue his Maiestie answer, that in due tyme they would consider of tonnage and poundage; but these messages are inconuenient and spend tyme: and soe againe they proceede with matters of relligion, and petition for a fast, which the Kinge grants, but withall tells them it shall not be brought into example for frequent fasts, except on great occasions. They present a declaration to the King shewinge their resolution to giue precedence to relligion, which the King answers. They take it into debate the King's declaration prohibitinge disputes or preachinge one way or other concerninge the matters therein mentioned, which they say had for its maine end to suppress the Puritan partie, and yet to giue libertie to the contrarie side, and that Laud and Mountague had aduised the Kinge to sett forth that declaration. At the committee (the House beinge turned into committee of the whole House) seuerall merchants petitioned that their goods were not only seised, but informations were preferred in Star Chamber against them. The committee in their debates inclined that the merchants might haue their goods before they proceeded with the Bill for tonnage and poundage. The House ordered that the Barons of the Exchequer be sent to make void their iniunction and order concerninge the stayinge merchants' goods, to which the Barons answer, that the merchants in endeauouringe by repleuin to take the

They proceede vpon relligion.

They desire a fast, which the King grants.

Merchants petition about their goods taken by the King's officers.

The Barons of Exchequer answer.

* Treasurer of the Household, and one of the representatives of Oxford University.

† William Coryton, then serving for Cornwall.

goods out of the actuall possession of the Kinge, which is noe due course of law in the case of the King, they did by order of iniunction stay those suites, and did declare that the owners might take their due course as the law alloweth if they found themselues agreeiued, which answer satisfied not. They proceed against Carmarthen and others that tooke the goods. The Kinge sends them word, that what the commissioners did was by his owne express order, and it concernes him in point of honor not to let the truth be concealed, and that it will not saue his honor if the Customers suffer for his sake. Vpon this there grew hot debates in the House, and Sir Humfry May * aduised to vse oyle not viniger. Sir John Elliot † named the Bishop of Winchester, Dr. Neale, and the Lord Treasurer, and inueighed sharply against the Lord Treasurer, and a question was proposed, and the Speaker required to putt it; he refused, and sayd he had a command from the Kinge otherwise; wherevpon Mr. Selden sayd, Dare you not put it? Wee must sit here by command of the Kinge vnder his Great Seale, you are by his Maiestie sittinge in his royall chair before both Houses, and now you refuse to doe your office. Herevpon the House in heat adiourneth vntill Wednesday. On that day both Houses by his Maiesties command were adiourned vntill Munday the 2d of March, when the Commons meete and vrge the Speaker to putt the question, whoe sayd, I haue a command from the Kinge to adiourne vntill March the tenth, and putt noe question, and indeauouring to go out of the Chaire he was held in by some members of the House, viz.—Densill Hollis,‡ and Benjamin Valentine,§ whoe had seated themselues the one of one side the other on the other side of the Chaire, vntill they had made a protestation concerninge relligion and tonnage and poundage. The Kinge sent for the Serieant at Armes attendinge the Speaker,

Sir John Elliot inueighs against the Lord Treasurer, Weston, and the Bishop of Winchester.

The Speaker refuses to put the question, and leauing the Chair is held in vntill they protest.

Selden's speech thereupon, and the tumultuous proceeding of the House.

* Chancellor of the duchy of Lancaster, then sitting for Leicester.

† Knight of the shire for Cornwall.

‡ Second son of the 1st Earl of Clare, chosen for Dorchester.

§ Burgess for St. Germans.

but Sir Miles Hubert * had lockt the dore, and the Serjeant could not get out. The Kinge sent the Gentleman Vsher of the Black Rod, but he was not admitted. When they had read the protestation, in much confusion, they adiourned to the tenth of March, as was intimated by the message from the Kinge. The same second day of March the Kinge by proclamation dissolued the Parliament (which yet was not published vntill the tenth day). On the tenth day of March his Majestie came into the Lords' House, in his royall robes, the Lords in their robes also, and diuers of the Commons below the barr, but not the Speaker, nor were the Commons called where the Kinge spake, layinge the fault of that vnwilling dissolution on the vndutiful cariage of the Commons, yet not all, but some seditious spirits amongst them; and thankinge the Lords for their demeanor to him, he comanded the Lord Keeper to doe his commands, and then the Lord Keeper dissolued the Parliament. The next day the Lords of the Councill command Denzill Hollis, Sir Miles Hubert, Sir John Elliot, Sir Peter Hayman, John Selden esquire, William Coriton, Walter Longe, William Strode, and Beniamin Valentine, to appeare personally before them on the morrow, when Hollis, Elliot, Coriton, and Valentine appeared, and refuse-inge to answer to any thinge done in Parliament were comitted to the Tower. The King purposed to proceed against the imprisoned members, and therefore putt the last question to the Judges.

The King dissolves the 3d Parliament.

Some committed to the Tower.

In the tearme followinge *habeas corpus* were prayed and granted, and the case argued, by Aske and Mason for the prisoners, by Barkley and Dauenport, the King's Serjeants, for the Kinge, and another day appointed to hear councill againe next tearme, when Litleton for the prisoners, and the Atturney-General for the Kinge, and tyme taken by the Court to deliuer theire opinions the day before the end of the tearme; but

Habeas corpus argued.

* Now written Hobart; the ancestor of the Earls of Buckinghamshire, then burgess for Marlow. In 1646 the Parliament voted 5000*l.* to his children, as a recompense for their deceased father's sufferings by imprisonment, and *for opposing the illegalities of that time.*

The prisoners removed to another prison.

before that day the Kinge had remoued the prisoners to other prisons, and they were not brought to the barr. The Court was pressed to giue their judgments, which they refused to doe, because in the absence of the prisoners they could neither remand, nor bayle, nor deliuer them; wherevpon the Councell desired another *habeas corpus,* returnable the last day of the tearme, which was granted; but the Lieutenant of the Tower brought not the prisoners, because of their ill behaviour when they were last at the Court, to the dishonor of him and his Court, and therevpon the Councill prayed another *habeas corpus,* returnable the first day of next tearme, which was granted. Before which day, all the Judges beinge in London a weeke before the tearme, the Kinge sent letters to them, signifyinge that he was content the 7 prisoners should be bayled, and that he would proceede against them legally; wherevpon the Judges sent seuerall *habeas corpus,* to have them brought before them to Serieants' Inn immediately. When they came, the Judges told them the King had determined the question depending in Court, and had signified they should be bayled to appeare in Court the next tearme; wherevpon the Judges required suerties for appearance, and in meane tyme for their good behauiour. All tender bayle for appearance, but all refuse to find suerties for good behauiour except Longe; soe six were remanded and Longe bayled. The first day of Michaelmas tearme, at the returne of the *habeas corpus,* they all appeared in Court, and againe refused to giue suerties for their behauiour. The Court bid them aduise, for it lay in the power, course, and discretion of the Court, and they would neuer bayle them without such suerties. Wherevpon Selden desired to be heard, argueing that it would preiudice their cause, which was for an offence supposed in Parliament; but he offered, if the Court would bayle him first, and then require suerties for his good behauiour, he would doe it. But the Court sayd it was a new way of bargaining, neuer vsed in any tyme before. So they beinge all of his opinion, they were re-

Another habeas corpus.

The Lieutenant of the Tower brings not the prisoners.

A 3d habeas corpus, returnable 1st day of Michaelmas tearme,

before which day the King signified his pleasure to bayle them.

Vpon habeas corpus they come before the Judges, whoe demand suerties to appeare, and good behaviour. They all but Longe refuse as to behaviour, and are remanded; only Longe is bayled.

They appear in the tearme, and the Court demand the same. They refuse, and are remanded.

The behaviour a discretional thinge.

manded; and then Longe, seeing his companions would not find suerties, desired to be discharged from that recognizance and his suerties, sayinge they would stand bound noe longer. He was discharged from his recognizance, and committed to the King's Bench vntill he had found suerties for his good behauiour to the King and all his people.

Longe and his suerties refuseing to stand bound, Longe he is committed.

The same Michaelmas tearme an information was preferred by the Atturney General against Sir John Elliot, D. Hollis, and B. Valentine, for that they beinge members of the last Parliament plotted and combined to make and raise diuision betweene the King and his subjects, and in pursuance of the combination Sir John Elliot in the House of Commons sayd that the Lords of the Councill, the Judges, and the King's learned Councill, had all conspired to trample vnderfoot the liberties of the subiect, not with intent to accuse any person, nor to haue justice against any one, but of purpose to defame the great Peers (and the words were inserted in the information, against the Lord Treasurer and the Bishop of Winchester); and after that Hollis and Valentine, in opposition to the command of the Kinge, assault the Speaker,* and draw him to the chaire in the House, to the terror of the assembly. The defendants plead to the jurisdiction of the Court, alledgeing that an offence committed in Parliament cannot be punished out of Parliament. This plea was putt in the last day of Michaelmas tearme, and day giuen them to the first day of Hillarie tearme to mainteine their plea. But then, for the better direction of the defendants' councell, the Judges euery one seuerally, viz. Hyde, Chief Justice, Jones, Whitlocke, and Crooke, publiquely informe them that, vpon great deliberation, all the Judges and Barons in Trinitie tearme last had resolued that an offence committed by a Parliament man in Parliament, and not there punished, is punishable out of Parliament. The first day of Hillary tearme the Councill argue for manteinance of their plea to the jurisdiction of the Court, and the day after the Atturney-General for the Kinge;

Information against Hollis, Elliot, and Valentine in the King's Bench.

They plead to the jurisdiction, the offence supposed to be done in Parliament, a higher Court.

* Sir John Finch, Recorder of London.

Their plea ouerruled, and a day giuen to plead ouer;

which they not doeing after 3 peremptorie dayes, judgment against them.

but because noethinge was sayd at that tyme by the defendants' Councill but what had binn sayd before in the presence of all the Judges, the Court adiuged them to answer ouer; and after 3 peremptorie dayes giuen them to plead, which they refused to doe, the last day of that tearme judgment was given against them, That they shall all be imprisoned duringe the King's pleasure, Sir John Elliot in the Tower, the other two in the King's Bench, Elliot fined 2000*l.*, Hollis 1000 marks, and Valentine 5000*l.*; and be bound to the good behauiour, and to confess their offence, and make submission to the Kinge.

Information against Longe, Sherrif of Wilts, in Star Chamber.

In the same Hillarie tearme an information of periurie and neglect of his office was exhibited in the Star Chamber against Longe, for that he, beinge Sherrif of Wilts, procured himselfe to be elected a burges for Bath, in Somersetshire, whereas there is a clause in the writ that noe Sherrif shal be elected. He confesses himself to be Sherrif, and to have taken the oath and clause in the writ for election; alsoe that after he was Sherrif he was elected, and accordingly came to the Parliament, and attended vntill the adiournment. He confessed that he writ two letters vnto two friends in Bathe, and conferred with fiue others, electors, but sayes not whether he labored his election or against it, and vpon his owne confession he was sentenced, tho' his Councill obiected that the clause, Nolumus, &c. was not in the writs, but was first inserted 46 E. 3, by colour of an ordinance of Parliament, and was after omitted vntill 14 H. 4, that was constantly in the writs. Longe was fined 2000 marks, to be imprisoned at the pleasure of the Kinge in the Tower, and to make his submission to the Kinge, with acknowledgment of his offence.

Returned.

The clause nolumus in the writ of elections of Knights.

Information in Star Chamber against the Earl of Bedford, Earl of Clare, Earl of Somerset, and Sir R. Cotton, and Mr. Selden.

Libel.

In Trinitie tearme, in the 6 year of the Kinge, an information was exhibited by the Attorney-General in the Star Chamber against the Earle of Bedford, the Earle of Clare, the Earle of Somerset, and Sir Robert Cotton, and Mr. Selden, for publishinge a scandalous libell, writing it out, and sending it about from hand, scandalous to the State and Government, which vpon examination appeared a proiect or modell about the 12th year of

King James, and sent to him by Sir Robert Dudlie, (who called himselfe Duke of Northumberland,) a fugitiue, which that Kinge disliked and suppressed, and it was neuer after talked of vntill thus published as a new thinge. It was intituled, A Proposition for your Majesties Seruice (this is to be seene in the Collections by that knaue Rushworth), and diuided into two heads, the first to bridle the excess of Parliaments, the second to increase your Majesties revenues. The perticular clauses of the proiect are meanes to increase the reuenue by tyrannie and exactions, and to subdue the subiects and the laws of the realme; the which the Kinge, out of his pietie, greatly abhorred, and it was resolued that the publication thereof was a great offence, and punishable. But at the openinge of the information by the Atturney Generall, the Lord Keeper signified to the Court that the Kinge, out of his grace, and for the joy that a prince* was borne, would pardon the defendants, and would proceede no farther. At the Atturney General's motion, acquaintinge the Court that Sir Robert Cotton, one of the defendents, had in his librarie records, leiger books, original euidences, letters and instruments of State, perteininge to the Kinge; and to proue that, shewed vnto the Court a copie of a pardon which Sir Robert had obteined of Kinge James, for imbezlinge records, amongst other offences; the Court ordered that a commission shall issue to certain commissioners, whoe, in his presence, shall search his librarie, and seise to the King's vse such records and other instruments which belong to the Kinge.

The defendants pardoned for joy the Prince was borne.

Sir Robert Cotton's librarie searched for records, &c. belonging to the Kinge.

The same tearme Dr. Leighton† was sentenced for makinge, printinge, and publishinge, a wicked booke, conteininge treasonable matter against the Kinge, and incitinge the subiects not only to discontents, but to rebellion, with inuectiues against

Dr. Leighton sentenced. Fine 10,000*l.*; pillorie, and loose both eares; branded in the forehead, his

* Charles Prince of Wales.

† Alexander Leighton, born in 1568. After suffering the barbarous punishment to which he had been sentenced, he was set at liberty, in 1640, by the Parliament, and made Keeper of Lambeth Palace, then used as a State Prison. He died in 1644, the hardships he had undergone having affected his mind. His son Robert became the celebrated Archbishop of Glasgow.

nostrills slit, whipped, and perpetually imprisoned.

the bishops, and all the magistrates of the realme: he was fined 10,000 pounds, to be sett in the pillorie, and loose both his eares, to be branded in the forehead, his nostrills to be slitt, to be whipped, and perpetually imprisoned.

Edward Morgan ore tenus in Star Chamber, libell.

In Michaelmas tearme, in the same year, one Edward Morgan was brought *ore tenus* in the Star Chamber, where he confessed the writing and sendinge certain libellous papers, one to Sir John Bridgman and [Sir Marmaduke] Lloyd, Judges in Flintshire, another to the Sherriff of that countie, and another to the gaoler, in which was a great inuectiue against the Judges for condemninge him in a Præmunire for refusinge the Oath of Allegiance, and calls them the Judges of the Bishop of Calcedon; and pretended in these writings that the King designes to gouerne after the mode of France. Which beinge matter of scandall to the Kinge, and to the Judges, he was fined 2000 marks, to bee putt in the pillorie twice, his eares nayled, and cutt off. But the greater part spared him whippinge, because he was a gentleman.

Fined 2,000 marks, putt in the pillorie twice, his eares nayled, and cutt off.

Sherfield, a lawyer, fined.

Sherfield of Lincoln's Inn, Recorder of Sarum, in the year 1632, (8° Car.) was sentenced in the Starr Chamber for breakinge downe the painted glass in the east windowe of the parish church of St. Edmund's, in Salisburie, where it had stood from the erection of the church for ought could be knowne. He obteined an order from the vestrie of that parish for taking it downe, (there was God the father represented as an old man,) and settinge vp plaine glass, he haueinge taken offence thereat; but he, without acquaintinge the Bishop, Dr. Dauenant, with his exception or intention, beyond the order giuen by the vestrie, with a staff brake all the glass to peeces; and for so doeinge, in contempt of the bishop, and without any authoritie, he was fined 1000 pounds to the Kinge, depriued of his Recordership, bound to the good behauiour, to make acknowledgment of his offence, both in the parish church and in the cathedrall.

William Prinn, a lawyer, committed to the Tower.

William Prinn, a Barrister of Lincoln's Inn, writ seuerall bookes, viz. Lame Gyles his Haultinge; an Appendix against Bowinge at the name of Jesus; a larger booke called Anti-Ar-

minianisme ; another called Histriomastix. He was committed to the Tower, somethinge in this last booke tendinge, as was iudged, to the destruction of his Majesties person. In Candlemas tearme 1633 he was brought to a tryall in the Starr Chamber, and fined 5000 pounds to the Kinge, expelled the Vniuersitie of Oxford and Lincoln's Inn, degraded and disabled from his profession, to stand in the pillorie, first in the Pallace-yard at Westminster, and 3 dayes after in Cheapside, and in each place to loose an eare, his booke called Histriomastix to be burnt before his face by the hangman, and to remaine prisoner duringe his life. By these matters thus transacted in the Parliament House, and the Courts of Justice, doeth in some measure appeare the humor and inclinations of the people of England ; I shall now say somethinge as to the affaires of Scotland.

Fined in Star Chamber 5,000 pounds.

A Lyturgie (pursuant to what had binn designed by King James) was preparinge, the Bishops of Scotland haueinge sent one Maxwell, a preacher in Edenburgh, to Court about it ; whoe, applyinge to Laud, Bishop of London, was told by him that, if his Majestie would haue a Liturgie differinge from what they had already, it was best to take the English, without any alteration, that soe the same seruice-booke might pass through all his Majesties dominions. But he replied that a Lyturgie made by themselues, differinge some-what from the Church of England, would best please his countriemen ; for, sayd he, they are verie iealous of any dependance on the Church of England ; and soe it rested awhile. In the yeare 1633 his Majestie Kinge Charles went into Scotland, and with difficultie obteined an Act of Ratification, an Act confirmatorie of such lawes and statutes, relating to church concernments, as by Kinge James had binn obteined by great charge and cunninge. He erects Edenburgh to a see episcopall. He intends to take the Crowne lands, alienated duringe the minoritie of his father, and which were held by the possessors without any good title. At last he obteined an Act of Reuocation, or a Commission of Surrendrie, and soe returnes. He was followed with a pestilent libell, in

A Lyturgie prepared for Scotland.

The King goes into Scotland.

Obteines an Act of Reuocation, and returns.

Is followed with a libell.

which they charged him to have carried that Act by corruptinge some, and a plaine downright bribinge others, and buying voices.

Laud translated from Loudon to Canterbury 1633.

Soone after the King's return, viz. the 1st of August, 1633, Archbishop Abbot dyed, and Laud succeeded him, being nominated thereto the 6th of August, the election returned and presented to the Kinge the 25th of the same month, and the translation perfected the 29th September followinge. Sir Nicholas Hyde died the 25th of August, 1631. Sir Thomas Richardson was taken out of the Common Pleas, where he was Cheife Justice, and made Chief Justice of the King's Bench, in succession to Sir Nicholas Hyde. Richardson dyinge in the year 1635, my father succeded him; in which year the Kinge had confirmed a booke of Cannons, and Common Prayer, penned by the Scotish Bishops, and perused by the Archbishop of Canterbury and Bishop of London, Dr. Juxon, which was sent into Scotland. The Lord Treasurer Weston being dead, a commission *adferit* * issued for management of the Treasurie, but afterwards the said Bishop of London was made Lord Treasurer. And thus stood affaires in the year 1635, when as I sayd my father was made Lord Chief Justice. The people in all his kingdoms seditious, apt for rebellion, the disaffected partie pushinge and striueinge to inforce the Kinge to call a Parliament, the King useing his prerogative to rayse monie without Parliament for the support of his Gouernment, and the necessarie occasions of the Crowne, by knighthoods, loanes, beneuolences, and by ship-writs to the maritime townes, as his predecessors antiently had done, for from the people in Parliament he found he could not haue any, unless by yeilding vp his prerogatiues, or deliuering his officers to ruine. A great art it had binn to ingage his father and himselfe in warr, which could not bee mannaged without ayd from the people in Parliament, the factious partie striueinge to necessitate the Kinge to call a

Sir Thomas Richardson, from the Common Pleas to the King's Bench.

He dies, and Sir John Bramston succeeds.

Lord Treasurer Weston dies.

Bishop Juxon is made Lord Treasurer.

The humor of the people.

* This expression is unknown at the Treasury, nor can any explanation of it be found; *ad interim* has been suggested, but the word *adferit* is clearly written in the MS., nor is it likely that Sir John Bramston would have mistaken a legal term.

Parliament to supplye his wants, which the vrgent concernes of the Crowne and his allies drew vpon him; and the Kinge indeauouringe to auoid that necessitie by such ways as his predecessors, Kings of England, had done before, and noe other then what right reason dictated; and soe it had continued some years before the ship writs issued, which continued 5 yeares. The King iustly expended that monie in building ships and guardinge the seas with a nauie royall, soe that trade increased exceedingly, the citisens of London, merchants, and all traders, grew rich, for, whilst all other nations were at warr, England was in peace, and his people became the only carriers between Spain, France, Holland, and other parts. And thus it was, when the Scots rebelled, being hired thereto by the factious Puritan partie, who inuited them into England, knowing the King could not mainteine an armie, if possibly he might raise one. And an armie he did raise vnder the conduct of the Earle of Arundell, in the year 1639, sufficient to haue reduced them to obedience, if his Majestie had not binn betrayed; who, calling his great councill of the peers at Rippon, he was perswaded to a pacification, and to disband his armie, and to call a Parliament, which accordingly he did, and issued writs for their conueninge, the 13th day of Aprill 1640, (Glanvill was Speaker,) beinge the 16th yeare of his raigne; before which tyme there had binn none since the 3rd and 4th of his raigne. Soe longe a disuse of that which is (if well applyed) the most excellent phisick, and the properest for the constitution of this kingdome, must needes haue bred distempers in the bodie of the commonwealth, which those which had in great measure fomented them knew how to vse for their aduantage, and did applye soe sharpe and seuere medecines as made the remedie worse than the disease. When the Parliament met, a kind of offer was made for buyinge off the ship monie, by granting the King three subsidies in lieu thereof; the popular orators made such harangues as inclined the maioritie of the House of Commons to stand stifly to haue greiuances redressed before any supply was granted. And

Trade prospered.

The Scots rebell and inuade England.

The King raises an armie commanded by the Earl of Arundell:

but a pacification followed, the armie was dissolued, and a Parliament called 3 April, 1640.

The 4th Parliament.

Glanvill Speaker.

Sir Henry Vane false.

Sir Henry Vane the elder, either as a knaue or foole, playd the King's cards so ill, that there was noe right vnderstanding betweene the Kinge and the House of Commons in that matter. And yet I haue heard Mr. Porter, my brother, (whoe serued in that Parliament as burgess for Malden,) and others say, if they had binn permitted to sit awhile longer, they had complied with the Kinge in some good measure. But the Kinge, guessinge otherwise, dissolued that Parliament, very vnhappilie for himselfe and the kingdome. Soone after, the Scotts took armes againe, quarrellinge the seruice booke; and, pretending to bringe a petition to the King, inuaded England, holding intelligence with the Puritan factious partie. The Kinge also raised an armie, and putt the Earle of Strafford in the head of it. At which tyme most counties of England sent petitions to the Kinge into the north for a Parliament; and the peeres perswadinge and aduisinge him to it, he issued writs of summons against the 3rd of November the same yeare, 1640. But to returne a litle back. The Kinge, by aduise of his Priuie Councill, grounded on the opinions of his learned councill at law, (Mr. Noy, his atturney-generall, a man well versed in the records, and others,) had for some yeares sent writs to the ports and maritime counties, to prouide for defence for trade against pirats, and to preuent depredations at sea and on the sea costs, according to antient and frequent vsage in the raignes of his predecessors, for which are innumerable precedents; and in the writs appointed the burthen of the ship, and the number of mariners to man her, and ammunition and prouisions proportionable, which was done; some few only excepting against the proportion, and petitioned for ease, as did the citie of London amongst the rest. But afterwards, in the year 1635, a case or question was putt to all the Judges of England, and by them answered vnder all their hands. I am of opinion that as where the benefitt doth more perticularly redound to the ports or maritime parts (as in case of piracie or depredations on the seas), there the charge hath binn and may lawfully be imposed vpon them

The Scots inuade England againe, pretending a petition to the Kinge.

Ship writs to the maritime counties first.

The first case, and the answer of all and euery judge.

according to precedents of former tymes: soe where the good and safetie of the kingdom in generall is concerned, and the whole kingdome in dainger (of which his Majestie is the only judge), there the charge of the defence ought to be borne by all the kingdom in generall. This opinion was subscribed by all and euery Judge in December and in February, after a case was sent by the Kinge to all the Judges, subscribed by the Kinge himselfe. "When the good and safetie of the kingdome in generall is concerned, and the whole kingdome in danger, whether may not the Kinge, by writ vnder the greate seale of England, command all the subiects of this kingdome at their charge to prouide and furnishe such number of ships, with men, victuals, and amunition, and for such tyme, as he shall thinck fitt, for defence and safeguard of the kingdom from such dainger and perill, and by law compell the doinge thereof in case of refusal or refractorines; and whether, in such case, is not the Kinge the sole judge, both of the dainger, and when and how the same is to be preuented and auoided? C. R."

The case vnder the King's hand.

To this the Judges giue answer,*

"May it please your Majestie: We haue, according to your Majesties command, seuerally, euery man by himselfe, and all of vs togeather, taken into serious consideration the case and question signed by your Majestie, and inclosed in your royall letter. And wee are of opinion, that when the good and safetie of the kingdome in generall is concerned, and the whole kingdom in dainger, your Majestie may, by writ vnder the great seale of Englande, command all the subiects of this your kingdome, at their charge, to prouide and furnish such number of shipps, with men, victuall, and munition, and for such tyme, as your Majestie shall thinck fitt for the defence and safeguard of the kingdome from such perill and dainger; and that by law your Majestie may compell the doinge thereof in case of refusall or refractorines. And wee are alsoe of opinion, that in such case

The Judges' answer to the 2nd case under the King's hand.

* Printed in Rushworth, vol. ii. p. 355.

your Majestie is sole judge, both of the dainger, and when and how the same is to be preuented and auoided.

"John Bramston, John Finch, Humphrey Davenport, John Denham, Richard Hutton, William Jones, George Crooke, Thomas Treavor, George Vernon, Robert Barkley, Francis Crawley, Richard Weston."

Here let me note, Hutton and Crooke subscribed both the former and this opinion with the rest of the Judges; and yet they were not impeached by the Commons, as were the rest (then suruiuinge). It was sayd they differd, and subscribed only for conformitie. But how did that appeare to the Commons? and they might haue knowne that my father subscribed noe otherwise to this opinion; for he desired to haue some clauses inserted to their answer of the case, which would haue restreined the case in materiall parts; for, instead of "such tyme as your Majestie shall thinck fitt," he would haue had, "and duringe such necessitie only," and desisted not pressing for that addition vntill by vote he was ouer-ruled; and, when it was soe, he subscribed not vntill he was told by the antiente Judges that it was euer the vse for all to subscribe to what was agreed by the maior part; yet he was impeached, and not Crooke nor Hutton for these opinions. So plainly kissinge went by fauor.

The words that Sir John Bramston insisted to be inserted in the answer.

After the Kinge had obteined the opinions of all the Judges thus subscribed, he issued forth writs to all the counties of England, and commanded each sherrif to prouide a ship, the burden, men, victuall, and amunition proportioned with great equalitie, hauinge regard to the largenes and wealth of the countie; and they were required to lay the burthen on the inhabitants, sparinge the poorer sort (and Dr. Heylin sayes he writ letters to the sherrifs not to lay more on the parson than a tenth of what was layd on the parish, and to haue a great regard to the poore viccars).

Writs issue to euery countie.

Those whoe had binn factious and trublesome in the Parliament house easilie influenced in euery countie some to refuse payment of the proportions they were taxed at; amongst others,

Mr. Hampden is charged and refuses payment.

John Hampden esquire, of the countie of Bucks, was rated by the sherif of that countie at 20 shillings, which he refused to pay. The sherif made returne thereof vpon a *certiorari* out of the Chancerie; vpon which returne the King, by *mittimus* out of that court, recitinge the writ, the charge, and the returne, sends the same to the Barons of the Exchequer, commandinge them to doe what seemed meete to be done acordinge to the law and custome of the realme: the barons award a *sciri facias* to the sherrif of Buckinghamsheire to warne Mr. Hampden to shew cause why he should not be charged with the said twentie shillings; who demurred in law generally; and Sir John Bancks, the Atturnie-Generall, ioyned in demurrer with him, which cause the Barons adiourned into the Exchequer chamber, to haue the aduise of all the Judges of England (whereof more shal be sayd when I come to set downe the articles of impeachment against my father, and his answer, which he intended to make, but was neuer putt in).

The proceedings thereupon.

Bastwick,* a Doctor of Phisick, writes seuerall libells against the Bishops. One he calls Flagellum Episcoporum Latialium; then he writes A Letanie in the English tongue. Prinn † writes a booke he calls, The Quench Cole, being in answer to The Cole from the Alter; another he calls The Vnbishopinge of Tymothie and Tytus; and a third, News from Ipswich. Burton,‡ at his parish church in Friday-streete, in London, first preaches and after prints the sum of two sermons, which he calls, For God and the Kinge. An information was preferred against these three in the Starr Chamber, to which they were required to answer. They prayed councill to be assigned to them, which was done, but they drew theire answers themselues, and they would haue had theire councell to haue signed them, which they refused to doe, and gaue for reason that the answers were as scandalous

Information in the Star Chamber against Bastwick and Burton.

* John Bastwick, born at Writtle, in Essex, M.D., soon relapsed into obscurity, and died before 1656.

† William Prinn.

‡ Henry Burton was restored to his rectory of St. Matthew's, Friday Street, by the Parliament, and died in 1648, having become more moderate, seeing to what lengths the Roundheads were proceeding.

and libellous as their books; wherevpon Dr. Bastwick, when he was called vpon for his answer, brought one; soe did the rest, but not subscribed by any of their counsell. The Court told the defendants, if they answered not, the information must be taken *pro confesso*, to which Bastwick, throwinge his answer into court, sayd, My Lords, there is my answer: if you will accept it you may; if not, my Lords, I will send it through the world in Roman buff. These words I heard him speake, but vnles he meant he would put it in Latin and print it I know not what he meant. On the 14th day of June, 1637, they were all sentenced. Prinn fined 5000*l.*, to lose the remainder of his eares in the pillorie, to be branded in both cheekes with the letters S. L., for a scismaticall libeller, and to be perpetually imprisoned in Carnarvan Castle. The other two likewise fined 5000*l.* each, to be pilloried, and to loose their eares; Bastwick to be imprisoned in Launceston Castle, Burton in Lancaster Castle; but afterwards, on reason of state, Prinn was sent into the isle of Jersey, Burton to Castle Cornet, in the roade of Guernsey, and Bastwick to St. Maries Castle, in the isle of Sillie, where they remained vntill the year 1640, when you shall heare more of them.

Sentenced.

Dr. Williams, Bishop of Lincolne, sentenced in Star Chamber.

Dr. Williams,* Bishop of Lincolne and Deane of Westminster, was displaced from the office of Lord Keeper long since, but continued the dignities in the Church and his discontents; for his disgrace he alsoe writes an answer to Heylin's Cole from the Altar, intituleing it The Holy Table, name and thinge, authorisinge it for the press, for the vse of such as were within his jurisdiction, to which Heylin and others made replies. The Bishop had binn tamperinge with a witnes in a cause concerninge one Prugeon, about a bastard child. He had alsoe published or divulged a letter from Osbalston† (Schoolmaster of Westminster,

* Afterwards Archbishop of York.

† Lamb Osbaldeston was deprived of his stall for writing this letter; and, though the Parliament restored him, he afterwards favoured the Royal cause, and died in retirement in 1659.

and Prebendary of that Church), libellous against Laud, the Archbishop, and Weston, then Lord Treasurer, and was sentenced in both causes, fined, and imprisoned in the Tower, where he alsoe lay vntill the Longe Parliament, 1640, of whome possibly I may say somethinge more hereafter.

The Scots' pretences.

The Scots tooke offence at a reuocation (mentioned before) made soone after the Kinge came to the crowne, of things passed away from the Crowne, which was legall and vsuall; alsoe on occasion of the commission of surrenderies, for releife both of owners of corne, and alsoe the poore clergie. Some were angrie that they were passed by that desired honors at the King's coronation, and all these things were longe before the seruice, lyturgie, and booke of cannons were thought of. But now sedition was ripe, and they tooke occasion by the forelock, and made relligion their pretence, and tooke offence at the service-booke sent vnto them; the historie of whose tumultuous proceedings is too longe for this place, and may be found in print in his Majesties Declaration set forth for that purpose; which at length came to armes, the principall ringeleaders holdinge intelligence with the factious Puritan partie here.

Hamelton, the King's Commissioner, false.

They enter into a couenant; the Kinge sends a Commissioner, Marques Hamilton, whoe betrayed him, the Marques haueing designe of settinge (as was thought) the crowne on his owne head, beinge descended from a daughter of Kinge James the Second, the Kinge descended from a daughter of Kinge James the Fifth. This Commissioner some tyme represented extreame difficulties, other tymes extreame dainger to the Kinge, that his affaires stood in; soe that he vndid all that his father and himselfe had binn designinge many yeares, suspendinge the execution of the lyturgie and cannons, and after, in the same year, 1638, discharged the lyturgie and cannons, high commission, and 5 articles of Perth, tho' confirmed by Parliament, and soe forth, as is to be seene by the King's Declaration aforesaid; all

The Scots inuade England again.

which condescentions notwithstandinge, they tooke armes, pretendinge to carrie a petition to the Kinge, as I have alreadie

sayd. This giues a loud alarme to the Kinge, whoe resolues to take armes, and send to all the nobilitie, the clergie, the Judges ciuill and ecclesiasticall, for ayd, by whose helpe he raised an armie, which he puts vnder the command of Thomas Earl of Arundell, Robert Earl of Essex Leftenant-General, and Henry Earl of Holland General of the Horse. This army was sufficient to haue trampled the Scots to dirt; but by the arts of the Scots (who had sent the Earl of Traquaire and Roxburough to offer some expedient to compose the differences,) the nobilitie and the officers of the armie were soe deluded and poysoned that the Kinge was induced to make and signe a pacification, his Majestie haueinge probably noe intent to fight them, but to draw the Scotts by the terror of soe great an armie to doe him reason. Soe soone as his Majestie had signed the pacification he disbanded his armie, before the Scots had done one thinge as capitulated to doe; nay they immediately, vpon the publication of the Declaration of this agreement, published a Protestation of adhering to their couenant, the General Assembly at Glasco, and disperse a scandalous paper, wherein they falsifie [the matter] soe falsly and grosly, and so prejudicially to the Kinges Majestie, that he was forced to call it in, and caused it to be burnt by the hand of the hangman. They continued all their assemblies, assault all the King's Priuie Councellors in the streets, &c.

The pacification signed.

The Scots protest.

The King had made the Earl of Traquaire his Commissioner for mannageinge the Assemblie and followinge Parliament, wherein they abolish Episcopacie, altered the forme of chooseinge the Lords of the articles, erected a third estate out [of] Lairds and Barons, instead of the Bishops, and coyned monie, &c., the news whereof amases the Kinge. He sends for the Lord Lieutenant of Ireland (Wentworth), and the Scotts sending Commissioners hither, he appoints a Committee of Lords to heare their desires; but Lowden, who spake for the rest (viz. the Earl of Dunfermlinge, Dowglas, Barklay, and himselfe), auowed their doeings as legall; but at first they stood vpon it that they were to treat with none but the Kinge himselfe, soe

The Earl of Traquaire made Commissioner.

The Scots in Parliament abolish Episcopacie, coine monie, &c.

They send Commissioners hither to treat. They satisfie their proceedings.

that the Kinge vouchsafed to be at the Committee (tho' they could show noe thinge to qualifie them as publique agents). Lowden for the rest iustified their proceedings, and desired the King's confirmation to what they had done in the Assemblie and Parliament. The Kinge shewed them not only the vnreasonablenes of their demands, but the dainger they had runn into by such proceedings; and soe they parted, and a report of the whole beinge made to the Counsell table, the Lords on debate resolued and aduised the Kinge that, since the Scots would not be reclaimed to their obedience by other meanes, they were to be reduced by force; and accordingly the Kinge and his Councill here, and the Earl of Strafford, Lieutenant of Ireland there, applie themselues to raise an armie, and to gett monie the sinues thereof, which by voluntarie loanes from the bishops and the clergie, the judges and all officers of law courts, &c., his Majestie did, as I sayd formerlie, and putt the Earle of Strafford in the head of it. But the Kinge was aduised to call a Parliament, and by that setle matters (as I haue sayd), which he did by writs returnable 3 November, 1640.

The King, by aduice of his Priuie Councill, prepares an armie to reduce the Scots to obedience.

The Earl of Strafford General.

But the Kinge is aduised to call a Parliament, which he does against 3 November 1640.

The 5 Parliament of Charles the First.

Those gentlemen who had binn imprisoned about the loanes, beneuolences, or any other the like matters, such citizens as had binn sued, imprisoned, or molested about tonnage or poundage, or the customes, all that had any wayes appeared obstinate and refractorie to the government, and the King's commands about ship monie, coal, and conduct monie, or the commission, were chosen either for counties or burroughs. And now the Kinge was in the trap or snare which he had so longe laboured to auoide. For they no sooner met, but haueinge chosen William Lenthall, of Lincoln's Inn, their Speaker (Glanvill was in the former), whome the Kinge approued (for tho' there were manie lawyers, yet very few in the house that were of former Parliaments); a man false in his profession, weake if not ignorant; they fell to haranguinge and speach makeinge, studied orations, penned and conned, some out of malice and reuenge,

How the Parliament is composed.

Lenthall Speaker.

The members fall to speach makinge.

others to shew they had parts, and might doe good or hurt; intending that the Kinge, finding them able to doe mischeife might take them off by preferringe them, as he had done Wentworth, Diggs, and others formerly. A most pernicious course, which yet hath binn pursued by his sonn Charles Prince, for thereby for one he gained he lost two or three or more; for all, seeinge the way to preferment was by opposeing, were sure to pursue the beaten track. It would be infinite labor to recite the speeches made in that Parliament, longe sett and illaborate, by Digbie, Faulkland, Hyde, Culpeper, Deeringe, Hollis, Pim, Waller, and Ruddier, with manie others of great note and abilities; beside the senseles bablings of Wray, Earle, Peard, and manie others sillie and ignorant fellowes; and yet euen these were heard with great patience, and not without applause for their zeale and courage, as well as Grimston, Whitelock, St. John, and the craftier knaues before mentioned; for I cannot thinck otherwise of them then that they beleeued not what they sayd, but all had their designes apart for their owne perticular interest. Some tooke for their theame the judges and courts of justice, and the proceedings therein; others the bishops and ecclesiasticall courts; some the ministers of state; Hyde, the court of the earle marshall; noe part of the King's gouernement but was inueighed against by one or other, whereby they soe inflamed the people against the Crowne, as they could neuer allay the heat, and the fier brake forth, and manie of them were burnt, scorcht at least, in the flame. And first they impeache the Earle of Strafford, Lord Lieutenant of Ireland, then Archbishop Laude, then Finch, Lord Keeper, and all the judges then aliue that had signed the before mentioned opinions, that gaue the judgment against Hampden in the Exchequer, or had not bayled those that brought their writs of habeas corpus (except Crooke and Hutton). Seuerall countrie gentlemen that had binn deputy lieutenants, and had binn actiue in arrayinge or pressinge soldiers were articled against, and the rest

frighted into compliance with the mutinous partie. The bishops and regular clergie libelled against as Popishly affected, committees erected for relligion, courts of justice, scandalous ministers, greiuances, and seuerall other committees neuer heard of before in many Parliaments, by which meanes they cutt out for themselues soe much worke as could not be brought to any issue in a short tyme. And because the Kinge (haueing the power) had formerly dissolued some Parliaments, and prevented their designes, they now prepare an Act this Parliament shall not be dissolued, prorogued, nor adiourned, but by consent of both houses, which Act the King passed. By other Acts the court of Star Chamber, High Commission Councill Table, Councill of Yorke, are taken away, ship money declared illegall, the opinions are voted illegal, contrarie to Magna Carta, the Petition of Right, and fundamentall lawes of the land. They soone raise monie to disband the King's armie, but they continue the Scots in England. They impeach and proceede against the Earl of Strafford, a prisoner in the Tower vpon the impeachment. The articles, answer, and whole proceedings, are longe in print, and the issue too well knowne; how the Kinge was perplexed in his thoughts, what course he tooke for satisfaction in conscience, by aduisinge with judges and bishops, and his great remorse for passinge the Act of attainder, he himselfe hath left to posteritie in his excellent book. I remember that day the Kinge passed that Act, I came from Westminster Hall with Mr. Mainard, (who had binn one of the mannagers of that tryall against the Earl,) now Sir John Maynard, the King's serjeant; he with great joy sayd, Now wee haue done our worke; if wee could not haue effected this, wee could haue done noething. And here let me mention alsoe what Grimston told me on the bench at Chelmsford, at a special commission of Oyer and Terminer for tryall of some soulders, whoe had broke into the church at Easterford-Keluedon, burnt the rayles about the communion table, stolen the surplice and the church plate, or

The Long Parliament.

They dissolue the King's armie, but continue the Scotts in England.

Westminster Hall.

Mr. Grimston.

some of it, my father sittinge there as judge, and his father, Sir Harbotle, Sir William Hicks,* Sir Thomas Barrington,† Sir William Massham,‡ and I should haue sayd first, the Earle of Warwick, as justices and commissioners, whoe all had letters from the Lords of the Councell, requiringe their attendance, which they lookt vpon as a marke sett vpon themselues, because the Lord Mainard,§ Sir Beniamin Ayloff,‖ Sir Henry Mildmay of Moulsham, and others had noe letters, only generall notice; and they at dinner were very earnest, I remember, with my father to know the reason, but he sayd they must inquire that of the Lords, not of him. But to goe on with my storie. Mr. Grimston and Sir John Barrington beinge newlie returned out of the North, whither they went instead of their fathers (who had binn knights of the sheire the precedent Parliament), with a petition from the countie to the Kinge to call a Parliament; the like goinge out of other counties, almost euery one, and generally by the knights of the sheire; and meetinge me as I sayd vpon the bench, he gaue me account of his reception and negotiation, telling me a Parliament would shortly be called, and shewinge me how the Lieutenant of Ireland, the Earle of Strafford, tooke him aside in the gallerie, and told him how necessarie a compliance was with the Kinge. He sayd the Marques Hamelton was excusable, as a younge man not versed in matters, and the King's cousen, soe that he thought the Marques would scape well enough. But as for litle Laud, sayd he, I will venture a limb at him; and he was as good as his word afterwards, when the Parliament sate, where he serued as

* Sir William Hicks, of Beverston, created a Baronet in 1619, ob. 1680.

† Of Barrington Hall, Essex, created a Baronet in 1611. Sir John Barrington mentioned in the next sentence was his eldest son and successor.

‡ Sir William Massham, of Otes, created a Baronet in 1611, and one of the representatives for Essex in the Long Parliament.

§ William, 1st Baron Maynard, ob. 1639.

‖ Sir Benjamin Ayloff, of Braxted Magna, in Essex, the 2nd Baronet of his family, ob. circiter 1663.

burgess for Colchester. But because I hope all the historie of that Parliament and the ciuill warr they made will be exactly writen by somebodie more knowinge the intreagues then I doe,* I shall medle litle with that matter farther then what my father was concerned in. The Lord Keeper Finch, hearinge he was likely to be impeacht by the Commons, askt leaue of the Lords to goe to the Commons, which was granted him, where he spake for himselfe; but, findinge it was not likely to answer his expectation (tho' he were an eloquent man, had binn of former Parliaments, and Speaker in the last but one, and soe knew how to temper his speach), he fled ouer sea (and returned not vntill his Majestie returned). He beinge gone, the Comons by a message desire the Lords to take securitie to abide their tryalls, which was done. Sir William Palmer and Sir Thomas Dyke (who had maried his daughters) became suerties for my father in 10,000 pound recognizances; my father and my selfe gaue them counter securitie the sixth day of July, 1641. The charges against the Judges were at conference deliuered to the Lords; and speeches in aggrauation made by seuerall members, at the deliuerie, Mr. Perepoint against Sir Robert Barkley, Mr. Crew against my father, (this Mr. Crew was eldest sonn of Sir Thomas Crew, Serjeant at Law, since Lord Crew,) Mr. Waller against Sir Francis Crawley, Mr. Hyde against the Lord Chief Baron Davenport, Trevor, and Weston. I doe not find what Mr. Crew sayd; but speeches of the rest are printed. Mr. Hollis made a speech at the same tyme from the Commons, recommendinge Sir Randolph Crew to the Kinge by the Lords. He had binn displaced from the office of Cheif Justice of the King's Bench. The articles against my father are printed (alsoe against all the rest). In those against my father is nothing of the judgment in the Exchequer against Mr. Hampden;

The Lord Keeper Finch hath leaue to goe to the Commons house.

Flies beyond sea.

The Judges caused to giue securitie.

The charges against the Judges, from the Commons to the Lords, and at a conference deliuered.

And speeches aggrauating the offences by the members.

The articles against Sir J. Bramston.

* The remark made here about the history of the Rebellion, and repeated in a later part of the memoir, justifies the idea that Sir John Bramston was not aware of the existence of Clarendon's great work.

but he is charged for signing the two opinions before mentioned, for not bayling Jennings, Danvers, Pargiter, and for not grantinge a prohibition to the Court Christian in Norwich, in a case of tythes betweene Samuel Bootie, clerk, and Collard, for 2 shillings in the pound, for right of houses in Norwich, all which the Commons say are contrarie to the fundamentall laws of this Realme, and contrarie to former resolutions in Parliament, and to the Petition of Right. Some tyme after, by order of the Lords' House, dated , he was required to answer to some of the articles, viz. the signing and subscribinge the two opinions; but I thinck it was not deliuered into the House, for I find it ingrossed in parchment, and signed by his councill, Henry Roll, John Hearne, Mathew Hale. I suppose it was neuer called for; but the effect thereof is, that beinge Chief Justice, and haueinge taken the oath belonginge to that plaice, he did, about the tyme mentioned in the article, receaue a command from his Majestie to deliuer his opinion touchinge the matters conteined in the articles, and did subscribe his opinion to such effect as is mentioned in the first article. He sayth a case or question was sent about February, 1636, vnto him and the rest of the Judges, to the effect of that in the 2nd article, mentioned in the debate, whereof he did in euery perticular deliver his opinion according to his judgment and confidence. But an answer to the case or question beinge drawne vp to the effect mentioned in the second article, he did not allow thereof, but did dissent from it, and did refuse to subscribe therevnto; but beinge ouer-ruled by the greater number of voices, and it beinge declared by the antient Judges that it was the vsuall and continuall custome, where the greater number agreed, the rest ought to subscribe, he therevpon, with all the rest, subscribed his name to the same opinion, mentioned in the second article. Now that he did differ from the subscribed opinion, and could make it out, I haue the attestation vnder Judge Phesant's hand, writen all by himselfe. Shortly after my returne from

His answer as it was prepared, signed by his councill.

How he differd from the opinion subscribed.

the circuit, which I rid in Northampton sheire, &c. I beinge with my Lord Cheife Justice Bramston, at Mr. Justice Crooke's chamber in Serieants' Inn, my Lord Chief Justice spake to Mr. Justice Crooke to this effect: "Brother Crooke, you know what opinion I deliuered vpon consideration with the other Judges vpon the question sent vnto vs concerninge ship monie; you are old, and if it should please God to call you, I would be glad that it might be knowne what my opinion was, and how I caried my selfe in it, therefore I pray tell it to our brother Phesant;" seeinge that it might stand him in some stead if Mr. Justice Crooke should dye. Where vnto Mr. Justice Crooke answered, That he did well remember that my Lord Bramston did declare his opinion to bee that the Kinge could impose that charge but only in case of necessitie, and only duringe the tyme and continuance of that necessitie; and that my Lord Bramston refused to subscribe vnto the question otherwise, but was ouer-ruled by the more voices, where vpon he did subscribe. And he farther sayth, that whateuer he did touchinge the matters charged as aforesayd, he did the same sincerely, accordinge to his then judgment and conscience, without any sinister or euill intent, &c. I haue seene what he did intend to say to the rest when his answer should be called for. The judgment in Hampden's case must stand vntill it be reuersed; and it was not the course to let euery man, no not any man, dispute and try the same points in law ouer and ouer. And Alexander Jennings being committed by the Lords of the Councill, as appeared on the returne, for not payinge the messenger's fees, and vntill he brought a certificate that he had payd the monie assessed on him for the shippinge; he sayd he was not satisfied, that vpon such cause returned the sayd Alexander Jennings was bayleable by law, unles he first pay or take order with the messinger for his iust fees; and for that cause only he did not consent to bayle him. He sayes the same for Danvers, and Pargiter; that vpon the returnes made, and the cause shewed

The proofe of that difference.

of their committment, he was not satisfied that they were bayleable by law. Now, tho' an Act of Parliament hath damned the judgment in the case of Hampden, yet I may be allowed to say the opinion of my father and the Cheife Baron Davenport was not only reasonable, but grounded vpon right reason, and the power soe inherent in the Crowne as it could not be taken away, I thinck I may say, euen not by an Act of Parliament.

What his opinion and judgment was in Hampden's case.

Their opinion was that the Kinge might command the seruice, but he could not receaue the monie; and if he cannot comand the seruice how cann he gouerne and defend the kingdome? But, as I sayd, he was not, nor was Davenport, accused or impeached for their judgments in that case. And for the subscribinge the two opinions he did as Crooke did, and Hutton too, subscribinge for conformitie, for he did differ in materiall clauses and circumstances from the subscribed opinion. And if it be sayd that Crooke and Hutton thought the matter too weighty for any Court but that of a Parliament to medle in, it may be answered, and truely, that theire opinion did no more appeare then did what my father vrged and insisted vpon, and therefore they ought to haue binn putt to answer as were the rest, if justice had binn impartially pursued; but there was great difference in the men. Grimston was his sonn-in-law, he was alsoe allied to Hampden; he was besides of the Puritan perswasion and partie, which was now the preuailing side. My father had always declared himselfe of the Church of England, a friend to the orthodox clergie in all occasions, and yet the House of Commons, whoe impeached him (as I may well iudge), were sick of the matter, for they neuer prosecuted the impeachment against him as they did against Barkley and Trevor. And since I haue mentioned Barkley, let me, for the honor of theire justice, remember that he was accused of treason, taken off from the bench in the King's Bench Court, and imprisoned vnder the Black Rod at first, after committed to the custodie of the Sheriff of London, Sir George Clerke,

Justice Barkley, after he was impeached of treason, and imprisoned, is taken and set on the Bench in the same Court, hanging the impeachment.

from whence, hangeing his impeachment for treason, they tooke him and sett him in his place vpon the Bench for some tyme againe, vntill they could fitt themselues with Judges for their turnes, and at last brought him to composition, and to pay a fine. And why may I not note here the humor of the people, as well as the iniustice of the Gouernors, who could kick and winch whilst the King moderately taxed them, and that according to precedents, for the necessary defence of the nation, and support of the Gouernment equally and easily, and yet the same men not only boare runninge burthens after, but laide loades vpon theire fellow subiects, without any precedent, and against all law, makeinge Magna Charta, the Petition of Right, and all other statutes, made for preseruation of libertie and propertie, giue way, and truckle to necessitie, yea a necessitie of theire owne makinge; and the nation boare these burthens too, and payd more in one weeke then the ship monie came to in a yeare, yea, and for manteinance of a rebellion destructive to all propertie. My father standinge impeached as aforesayd by the Commons, and the Kinge haueinge assented to the seuerall Acts of Parliament before mentioned perpetuating the two Houses, &c., and haueinge found that he had gained noe thinge to himselfe, nor vpon the Houses' good nature, nor to any of his faythfull friends and seruants, manie whereof he had displaced, and preferred to their imployments many of the popular partie, as the Earl of Essex he made Lord Chamberline of his household, the Lord Say Master of the Wards, St. John his Sollicitor at Law. Pim he had promised should be Chancellor of the Exchequer, as I haue heard and doe belieue. Soe alsoe Hollis was to be one of the Secretaries of State, and others had bargained with him, which, whilst he was driuinge vnder hand, the people of London and the suburbs runinge into tumults, cryinge in the streetes, Noe Bishops, noe magpies, noe Popish lords, and the like; otherwhile others comeinge to Westminster, demandinge justice, justice against the Earl of Straf-

The King receaves into his imployment manie of the popular Lords and Commons.

Tumultuous assemblies, yet noe course of punishment.

ford, a Protestation taken by both Houses, and almost euerie bodie. The House of Commons, pretending dainger, take a guard out of the citie, whoe carried the accused members Hollis, Pim, Stroud, Haslerigge, and Hampden, vnto Westminster, with multitudes accompaninge them, and the trained bands, with Protestation fastened to their pikes, or in their hats. The seamen and watermen, fitting vp barges and other vessells, filled with armed men, came by water before White Hall, whilst the broad place before the Banquettinge House, and vp to Charing Cross, was full of the rable armed, soe that his Majestie seemed beseiged in his owne house, both by land and water. The Bishops assaulted as they went vp stairs to the Lords' House, and their gounes torne; for a lane was made in both the Pallace yards, and no man could pass but whome the rable gaue leaue to, crying, "A good Lord," or "A good man—let him pass!" I did see the Bishop of Lincolnes gowne torne as he passed from the staire head into the entrie that leades to the Lords' House. This was made knowne to the Lords and Commons by seuerall members, and by the Kinge too; but noe course taken to suppress or punish any of them, soe that the Kinge might iustly feare dainger to his person if he stayd longer, as did the Bishops, whoe, haueinge made knowne to the Lords the dainger they runn in comeinge to the House, and yet could not obteine any reamedie, forboare to come, and entered into a Protestation against any thinge done in their absence as nul and void, and sett to [it] their hands, for which nine of them were impeached, and sent to the Tower; and whilst they were there a Bill passed for takeinge away their right of sitting in Parliament. The Kinge, willinge to please his people, and to preuent if possible any occasion of breach, signed a Bill for takeing away the Bishops' votes in the House; another that the Parliament should not be adiourned, dissolued, nor prorogued but by their consents; and the disorders increased; and beinge left by his Priuie Councell, who were either accused or soe affrighted that they shifted for themselues; for

Bishops assaulted as they came to the House.

Finding noe redress nor safety, they protest, for which they are committed, and an Act to take away their sitting in Parliament passes.

The King passes alsoe an Act which perpetuates the 2 Houses.

the Kinge by the concessions he had made had putt all power out of himselfe, soe that the Earle of Dorset (who was faythfull as any man to the Crowne) he took leaue of the Kinge the night after the Bill for perpetuatinge the Parliament (for soe in truth it did) passed, and sayd, "Sir, I must leaue you. Good night, sir: I may liue to doe you kindnes, but you cann doe me none." The King in this estate tooke councill of some younge gentlemen of the House of Commons (beinge left, as I sayd, of his old Counsellors), the Lord Digbie, the Lord Faulkland, Mr. Edward Hyde, Sir Orlando Bridgman, Mr. Gefferie Palmer, and others, whoe had made themselues popular, as they and the Kinge too thought. These aduised the Kinge to leaue the towne, and retire to some of his houses, which he did, goeinge to Theobalds as priuately as he could; whither both Houses send Committees to desire his Majestie to returne, both Houses sittinge all Sunday, and published the reason, forbiddinge it should be drawne into example. But the Kinge went not from those tumults and affronts to returne to them againe; soe he kept his purpose, and went by degrees to Yorke; and from Beuerlie, 29 July, 1642, he sent for my father to attend him. My father being impeached, and vpon the flight of the Lord Keeper Finch, as hath binn sayd, haueinge ingaged Sir W. Palmer and Sir Tho. Dyke soe deepely, their estates and his owne lyinge all within the reach of the Houses' power, aduised with the Earl of Portland, then a prisoner for the Kinge, the Earl of Lincolne, and some other his good freinds amongst the Lords faithfull to the King's interest, what to doe; whether he should goe without askeinge leaue, or trye the Lords for their leaue. They aduised him by all meanes to aske leaue, for the Lords had giuen leaue to the Lord Chief Justice Bancks, Sir Robert Foster, a Judge of the Common Pleas, and others, to goe, and soe might it be presumed they would giue him alsoe; wherevpon he desired the Earle of Lincolne to aske leaue for him. The Lords vpon full debate not only refused to giue him

What the Earl of Dorset sayd to the King on the occasion.

The King leaues London, and by degrees gets to Yorke.

From thence sends for Sir John Bramston to attend him.

Sir John asks leaue by aduice, but is denied to goe.

Sir John sends 2 of his sonns to the King, with his excuse.

leaue to goe, but commanded him to attend them. Beinge thus denied, he sent me and my brother Francis to Yorke to his Majestie, and by letter to Secretarie Nicholas gaue account how his case was, what course he had taken, and how he was denied,

The King sends a 2d command.

and intreated him to bringe me and my brother to the King, which he did; and I, repeatinge to his Majestie what I had in command from my father, represented to him my father's age, how he could trauell noe way but by coach, which could not be priuately, where he aduised with friends faithfull [to] his Majestie what to doe, whoe, consideringe his case, and the circumstances he lay vnder, sayd it would be his ruine absolutely if he went without the Lords' leaue; that the Lords had giuen leaue to others, and they did see noe reason but they should giue him leaue alsoe, which my father had done, and was denied; soe I hoped his Majestie would dispence with his attendance. The Kinge replyed, Why would your father aske leaue? He might be sure they would denie him, for they would doe him (the King) noe good, but all the mischeif they could. Addinge, "Your father is not soe old but he may indure the journey well; his presence is necessarie for my seruice, and he must come. I will grant him my protection, and come againe to-morrow morninge and you shall haue it." I had aduised with Sir Orlando Bridgeman before I went to the Kinge, and had told him my busines; and in the way as wee went thither, about Ferrie Brigg, I

On the way we meet Mr. Hyde.

mett my good friend and chamberfellow Mr. Edward Hyde, whoe, with some others, vpon the King's command, had left the house, and was attendinge his Majestie at Yorke. He was goeinge to see his wife, beinge then at Sir John Wolstenholme's.* He came out of his coach, and I alighted, and told him my busines. He replyed, He was sorry for it; for if my father obeyed not the King's command he would certainly loose his place. Addinge, The Kinge neuer sayd word to him of this matter. I told

* Sir John Wolstenholme lived at Nostell Priory, near Ferrybridge.

him my father heard it was an opinion of the Lord Cooke that the Chief Justice is Cheife Coroner; and if, vpon view of the bodie of any man slaine in batle or armes against the Kinge, it beinge soe recorded by him, was an attainder of the person and forfeiture, and soe conuicted as if found by a jurie. Mr. Hyde sayd the Lord Cheife Justice Bancks had mentioned the said opinion; but he beleiued not out of any ill will to your father: then he added, I am confident some bodie that hath designe vpon the place hath putt the King vpon this. I replyed, I hope his Maiestie will consider my father's condition soe far as not to ruine him for an opinion of another man neuer putt into practice; and soe he parted. I went on to Yorke, spake with the Kinge, stayed there one day, at which tyme the Assises was in the towne, and Sir Robert Heath was Judge of the Assise. At this tyme he was a Puisne Judge of the King's Bench; he had been from Atturney Generall made Cheife Justice of the Common Pleas, Richardson beinge remoued thence to the King's Bench, and Heath was remoued from Cheife Justice, and Finch made Cheife Justice; but he beinge remoued fell to practice as a sergeant, and was made a Puisne Judge of the King's Bench, and getting to Yorke was made Judge of Assise there. When I and my brother came I went to visit him; he inquired for my father, sent his seruice to him, sayinge he would doe for my father as he would desire my father should do for him (he knew my father was sent for); and he succeeded after my father was remoued, as I am goinge now to shew. I went from Skreenes thither in 3 dayes, stayd there one day, and returned home againe to Skreenes in 3 dayes more, on the same horse. The weather was hot, and as we went about Stanford we were directed by a watchman a way to auoide the towne, the plague beinge there. Here my brother grew faint with the length of the journey and the heat of the weather. Into the towne wee durst not goe, and what to doe I could not tell; he could ride no farther. We all alighted, and layd him

Sir Robert Heath, Judge of Assise at Yorke, what he sayd concerning my father.

downe vpon our coates and cloakes; and I made one of the men ride to some mowers that I espied at a distance cutting barlie, to buy some drinke. The fellow caught vp their botle, and came riding away, and the men came runninge after him. Wee gaue him some of their drinke, which refreshed him somethinge; we satisfied the laborer, and sent to the next village, where we gott some thinge to eate, and soe rode on our journey. And haueing, as I sayd, spoken with the Kinge, and receaued his Maiesties letters comandinge my father to attend him, and the protection the Kinge spake of, wee came away; I haueing told the Kinge I was confident if by any meanes my father could come he would attend, if there were soe absolute necessitie. In our returne on Sunday, neere Huntingdon, betweene that and Cambridge, certain musqueteers start out of the corne, and command vs to stand, tellinge vs wee must be searched, and to that end wee must goe before Mr. Cromwell, and giue account from whence wee came and whether wee were goeinge. I askt where Mr. Cromwell was. A soldier told vs he was 4 miles off. I sayd it was vnreasonable to carrie us out of our way; if Mr. Cromwell had binn there I should haue willingly giuen him all the satisfaction he could desire, and putting my hand into my pocket gaue one of them 12*d.*, whoe sayd wee might pass. By this I saw plainly it would not be possible for my father to gett to the Kinge with his coach, and he could goe noe other way. When I had deliuered the King's letters and protection to my father, and an account of what I had heard and seene, he addressed himselfe for the journey, and bespake him a light trauellinge coach; but, consideringe the great dainger he should draw his sonns in law that were his suerties, and certaine ruine to himselfe and me too, with the almost impossibilitie of gettinge to the Kinge, the Earl of Essex beinge declared Generall, and the counties round about London full of soldiers, he aduised with his freinds againe, whoe all confirmed him in opinion it was not safe to goe. Where-vpon he wrote to Secretarie Ni-

The Kinge with the 2d command sends a kind letter and protection.

The reasons that kept him from goeing;

which he writes to Sir Edward Nicholas.

cholas the full storie, and craued his Maiesties excuse, supposeing if his sonns had represented fully the nature of his case and condicion his Maiestie would not haue laid his commands a second tyme vpon him, and craued his assistance and continuance of his friendship. But in October followinge, by writ and patent vnder the Great Seale bearinge date the xth day of October, 1642, from Shrewsburie, in the 18th yeare of his Maiesties raigne, he was discharged from his place; with which discharge came a very kind letter from his Maiestie of the same date, another from Secretary Nicholas, alledging the meere necessitie of the King's affaires requiringe the presence of the Cheife Justice. But when Sir Robert Heath had that place that opinion vanished, as the opinion of a dead man, and noe thing of that nature was euer putt in practice. My father by the same messinger, Mr. Croplie, sent back a letter to the Secretarie, acknowledginge the receite of the writ and patent of discharge, with infinite thancks to his Maiestie for the kind expressions in his Maiesties letter, and Mr. Secretaries freindship to him. In a short tyme after, viz., 1st November, 1642, came a letter from Sir Robert Heath, beginninge thus, "My Lord, for soe you shall euer be to me;" and it seemes my father had writ to him to continue Mr. Grace Clerk of the Errors, to which after he had answered in that letter, he adds, "My Lord, when you shall truely vnderstand the passages of things you will know that I haue binn farr from supplantinge you, whome I did truely loue and honor, and that I haue binn and will be your seruant; and I belieue you know that the Kinge hath ingaged himselfe to be mindfull of you, and I assure you at my humble suite he hath giuen me leaue to be his remembrancer, which I will not neglect; in the meane tyme I am, and euer will be, your very true seruant, Robert Heath." In February after his Maiestie, by patent at Oxford dated x February, 18th Car. constitutes him his Serieant at Law. The batle at Edge Hill, the fight at Brainford, and other, begatt a treatie at Vxbridge,

He is discharged x October 1642.

Sir Robert Heath succeeded him.

His letter to my father.

His Maiestie constitutes Sir John Bramston his Serjeant at Law.

At the treatie at Vxbridge by one article is to make him Cheife Justice.

The two Houses would have him to continue his place.

whither the Kinge and the Houses sent Commissioners and Propositions. In the 8th Article the Howses proposed, amongst other things, that the Kinge by patent would make Sir John Bramston Cheife Justice of the King's Bench, continue Sir Joseph Bancks Cheife Justice of the Common Pleas, &c. May I not now obserue that the Parliament thought him not criminous when they made this proposall. But there needs not other instances that they had a better opinion of him than he had of them or their cause; for, besides the said proposition, they would haue had him to haue continued notwithstandinge his discharge, and sent to him for the writ and patent of discharge. But he assured them he had signified the receite of both, and he belieued another was placed in by his Maiestie. They would haue sent him as Judge of Assise into Essex, which he refusinge the Lord of Warwick in great rage sayd, Such as refuse to serue their countrie, it should spere them out. After that they would haue brought him into the House of Lords as an Assistant, which he did not absolutely denie, but auoided attendinge by the helpe of freinds; yet made vse of his patent for the aduantage of the priuilidge, as the King's Serieant, to auoid an assesment of 1500*l.* layd on him by the Committee sittinge at Haberdashers' Hall, he not hauinge contributed vpon the Propositions for raysinge monie by the fifth and twentieth part this way the 9th of October, 1644, and had an order of the Lords for respitinge of the same, dated 1st November 1644. Yet he neuer sate as an Assistant in the House of Lords after he was discharged of his place of Cheife Justice. In the year 1643 Sir Joseph Lenthall (brother of the Speaker and Marshall of the King's Bench) writes a letter, dated the xth of November 1643, acquaintinge him that, haueinge discourse with his brother the Speaker, he told him the House resolued to sett him (my father) in the Court that tearme as Cheife Justice, intreatinge him to accept it; for if he refused his brother sayd it might be his ruine, and he prest my father to come vp, which

He refuses imployment.

Yet made vse of the priuiledge to auoid an assessment of 1500*l.* set vpon him at Haberdashers' Hall.

Other scrapes he had.

my father did, but to a different end, for he prevented that matter by freinds in the Lords' House. In they ear 1645 the Lords appoint a Committee to consider how they may bringe him into their House an Assistant.

After this they had thoughts of makeing him theire Keeper of theire Seale; and the Commons passed some vote for it in March 1646, which was to be communicated to the Lords. My father was then at Screenes; and, hearinge of it, immediately (euen on Christmas day) went to London and preuented it by his freinds in the Lords' House; whoe putt in some obstructions, and the Lords agreed not with the Commons. And thus, raisinge him vp freindes, he escaped ruine; for had he binn putt to refuse (as accept he would not) any imployment he must ineuitably have binn vndone. At length Crumwell toke vpon him the Protectorship; he sent his Secretary Thurlow to him, and to bringe him to the Cockpitt at Whitehall, where he treated him with very great respect, and vrged him to take the office of Cheife Justice againe; but he excused himselfe, as beinge old, and haueinge made tryall could not satisfie, therefore he must now medle noe more with publique matters. Crumwell brought him down stayers, sayinge he would take no deniall, and wished him to aduise with his brother Rolls, whoe was his freind and an honest man. I went with my father to Crumwell, and stayed in the next rome, for Crumwell suffered no bodie to be present; but my father told me as wee came home what had passed. And I know Rolls came to my father, and in discourse of the matter my father told me that Rolls protested he would be banished rather then be a Judge, for he was in nomination too. This my father told me; when, contrarie to these his words, he was first a puisne Judge and afterwards Cheife Justice of the Bench which they called the Vpper Bench. But before this came to pass I should have related another great escape my father had in that Blew-stocking Parliament, Barebone Parliament, a companie of fellowes called

How he preuented beinge forced to refuse imployments; amongst the rest the Great Seale.

Cromwell vrges him to that like.

How he escaped at the Blew-Stocking or Barebones Parliament, and what that case was.

togeather by Cromwell, the armie and councell thereof pickt out for the purpose, whose Speaker, old Rous, and the rest, juggling togeather by an instrument, deliuered vp the gouernment to Crumwell. In this conuention a petition was preferred against him by one Wright, with desire to sumon him, and an officer came downe to Screenes with an order from the Committee to whome the petition was referred, signed by Francis Rous (sonn of their Speaker, and a collonell). My father could not guess what the matter was, nor could the messinger tell him; but Sir John Lenthall was mentioned in the order: my father hoped to be informed by him what the matter was. On Munday morninge my father went to London. The messinger came to him on Saturday, and the day for appearinge was Tewsday. Immediately after we came to towne I went to Sir John Lenthall, at that tyme a prisoner in Lambeth House (for the Bishop's house was turned into a gaole, and Leighton that was sentenced in Star Chamber was the keeper). Sir John told me the case, which was thus:—Wright had judgment against and 5000*l.* dammages, and had taken him in execution, and laid him into the King's Bench; the man made an escape; Wright filed a declaration against Lenthall vpon the escape; Lenthall prayed an imparlance to the next tearme, that is, to Michaelmas tearme; the counsell stood vpon it that he ought to plead presently. Soe my father and Justice Mallet called to the Master at the office to know what [was] the course in that case and the practice of the Court, whoe sayd it depended vpon the tyme of filing the declaration; for, if the declaration be filed soe manie dayes (nameing the tyme) before the tearme ends, then he ought to plead that tearme; but if after that tyme he may and ought to imparle. There-vpon it was examined when the declaration was filed; and for that it came not in tyme to compell him to plead that tearme the Court did (as they ought to doe) grant an imparlance. Now it fell out before Michaelmas tearme Lenthall had retaken the prisoner,

and Wright was defeated of his action against Lenthall. This was the last tearme that my father sate in Court; for before Michaelmas tearme begann he was discharged, as I haue shewne. But Wright moued the Court of King's Bench that tearme, where sate Bacon alone (for Mallet was taken off the Bench in Kent, where he was Judge of Assise that vacation, as I remember, and putt a prisoner into the Tower); the same rule was confirmed; he tryed all the other Judges, Rolls and others, and I thinck 20 rules made (all conforme to what my father and Mallet had done) after my father was out of his place. At the day of hearinge all this was made out by testimonie of antient practisers and cheife atturnies of the Court; and yet had not Sir Anthony Ashlie Cooper (the Earle of Shaftsburie afterwards), one of the committee, and the Chaireman Rous, stood steady, Barebones and one or two more had condemned my father and Justice Mallet to paye the 5000*l.* and the dammages to Wright; and at length by two voices he was acquitted at the Committee, which I looke on as a great deliuerance; for Barebones sayd it was all a trick betweene the Judges and clerks to helpe off theire marshall then, and now him and the Judges. My father haueinge thus escaped here, and afterwards Crumwell's flatterie, kept himselfe as priuate as he could, not stirringe out vnles to church, and indeed not often thither, only sometymes he went to Lincoln's Inn to heare the Archbishop of Armagh,* whoe was interteined by that societie to preach there, vntill by accident wandringe about to find out a more orderly and more conuenient place to heare and worship God, I one Sunday morninge stept into Milk Streete church. I had vsually frequented Saint Gregories, Dr. Mossam's, Dr. Wild's, Dr. Gunning's,† or some other congregations where the orthodox clergie preacht and administerd the sacraments; but, the soldiers often disturbing those congregations, it was not soe conuenient

Where he went to Church.

* Dr. James Usher.

† Peter Gunning; after the Restoration Bishop of Ely.

for my father to appeare there. And I comeinge (as I sayd) into Milk Streete church, there was roome enough, very few in it; but there I did see Mr. Robinson, whoe liued in the parish, to whome I was well knowne, for he had binn aprentice before the warr with Mr. Thomas Marsham, to whome I was allied, he beinge descended, as I was, from Sir William Lock;* but at that tyme he was gone to the Kinge, and Robinson liued in the house; he helped me to a seate, and there I heard Mr. Farringdon,† that excellent schollar and preacher. It fell out it was his first day, and he came thither on this occasion, as Mr. Robinson told me. Mr. Case had binn there (placed by the Committee vpon the remouall of Mr. Jones, whome they had sequestred) for some yeares; but was now (as they then termed it in their cantinge language) called to St. Gyles in the Feilds, which made a much louder call indeed, beinge 3 tymes more then Milk Streete. He beinge gone, the parishioners were diuided about a successor; some would have an Independent, others a Presbiterian, and seuerall meetings and competitions were, but no agreement, nor like to be; where-vpon Mr. Robinson (whoe since the King's restauration was Lord Maior, knighted, and Leiutenant of the Tower of London) desired he might putt one into the pulpitt vntill they could agree of a choice, and sayd they should choose whether they would pay him or not. (This Sir John Robinson was nephew and heire

Mr. Farringdon preached then at Milk Streete.

Sir John Robinson.

* The connexion is shown by the following table:—

Sir W. Locke = Elizabeth Spencer (1st uxor).

Jane = Robert Meredith, of London, mercer.

Mary = Richard Springham.

Magdalen = Thomas Marsham, alderman of London.

Thomas Marsham, here mentioned. — Other sons, one of whom, John, created a Baronet in 1663, was the ancestor of the Earls of Romney.

† Anthony Farringdon, Vicar of Bray, Berks, 1634; ejected during the civil commotions. He died in 1658.

to Archbishop Laude, his mother beinge sister to the Archbishop.) And soe he gott the pulpit, and putt Mr. Farringdon into it, which he kept 2 or 3 yeares. I went home, and told my father I had found a church where he might safely goe, where was roome enough, and where he might heare a most excellent orthodox preacher. In this church was my mother, grandfather, some of my sisters, and severall relatiues buried, and my father known to Mr. Robinson, and all the parishoners. My grandmother, Mrs. Moundeford, then dwelt in that parish; soe the next Sunday my father and my selfe went thither, and Mr. Farringdon preached againe; my father's coach standing in the streete, neere the church, gaue occasion to some to looke in, and in a short tyme the congregation soe increased that it was very difficult to get a place; but Mr. Robinson beinge Churchwarden gaue vs the fauour of his pew, and my father continued an auditor there duringe the residue of his life, when in towne. After my father had resolutely denied Crumwell he liued at great quiet, spending his tyme very much in readinge the Bible, and good and godly tracts, and in deuout meditations; but, haueinge contracted for a farme lyinge intermixed with the lands about his seate, for the purchasing whereof he had sold houses in St. Gyles in the Feilds, and intended to sell others in Warwick lane (for monie he had not, nor was fitt to purchase, haueing liued meerly on his rents for 12 yeares, but the conueniencie of the thinge made him putt himselfe vpon streights), on Saturday, the 16 of September, 1654, he went downe into the countrie to haue it surueied, and to contriue how to haue the assurance passed, for Mr. Stanlie, whoe had maried one of the daughters and heires of the Lord Molinax, whose wife was daughter and heire to the Lady Carill,* owner of the farme (Lightfoots), liued in Cheshire, and Mr. Selbie, who maried another of the said daughters, liued in

Lightfoot's purchase.

He went into Essex on occasion of that purchase.

* Perhaps these ladies inherited the property of *their mother*, Mary, daughter and coheir of Sir Thomas Caryll; because their father left a son, from whom the Earl of Sefton is descended.

Yorksheire. The lands were antient demesne, and held of the Lord Petre as of his mannor of Writle, where the assurance fine and recouerie must pass, and the wives to be examined; and in respect in Stanlie's lady was then with child, and could not come such a journey, my father came to get Mr. Goldsburrough and two tenants to goe to her into Cheshire, which they (that is, the said Steward, Mr. Jepson Towers, and John Crush of Armswick) did; and on this occasion came my father into the countrie (for at that tyme he and I liued with my sister Porter in the Bell Yard, both our wiues beinge dead longe before.) In that way wee called at Albin's,* which Mr. Robert Abdy then had newly purchased, where, beinge very much importuned by Mr. Abdy, (my brother-in-law,) he eate a litle cold veneson; not finding any inconuenience that day, nor the next, when my brother, Moundeford Bramston, whoe liued then at Bassets, in Litle Badow, in Essex, came and desired my father to dine with him on Munday; accordingly wee went, where he eate of a goose, but very litle. After dinner, whilst his man was gettinge the coach readie for our returne home, he walked from Bassets to Tofts, the old Lady Barington being there then with her sonn-in-law, Mr. Gobert Barington, whoe had maried one of the daughters of Sir Richard Wyseman, of Torrell's Hall, our very good neighbour, and he was desirous to see them all. When he had binn there a short tyme, and talkinge with the old Lady Barington,† that impertinent euerlasting talker, he whispered me, and told me he felt himself not well; and againe he sayd he feared he should haue his loosenes, for he felt him-selfe griped. Now for some yeares he had once or twice a year had a very violent loosenes, which was very much conduceing to his health, keepinge his head cleere, soe his memorie and vnderstandinge, tho' oft-tymes it tooke from him his

Sickened at Tofts in Little Badow, the house of Mr. Gobert Barington.

* Near Epping.

† This lady was Judith second wife to Sir Thomas Barrington, daughter of Sir Rowland Lytton of Knebworth, Herts, and reliet of Sir George Smith of Annables, in the same county. She died in 1657.

voice. I aduised the makeing hast home, (especially after he found it was not his loosenes, for his gripings continued). In the way he was taken with a vomiting, and vomited seuerall tymes ere wee got home, Dr. Michelson* (a Scotchman, whoe had binn rector of Chelmsford, a very learned and orthodox diuine, but sequestred, and our poore neighbour, of whome I shall haue occasion to speake more hereafter,) and my-selfe in the coach with him. His vomitinge continued, and that night I sent to London for my sister Porter, and a doctor, his phisitian, Dr. Leonard. They came on Wednesday, early in the morninge. All Tewsday the griping and vomitinge continued; I durst not aduenture to giue him a clister, which was vsually the phisick he tooke, least there-by the loosenes might fall vpon him. When the doctor came he would not giue him a clister, least he should thereby weaken him too much. Somethinge he did, but my father, beinge of great age, in his 78th yeare, he was very fearefull of being too buisie, and sought by gentle meanes to stay and allay the vomitinge. On Thursday I askd the doctor sollicitously how my father did, (I apprehended he lookt sad;) he replied, He is of great age; wherefore, if he haue any thinge to doe, it were well if he were minded to doe it. I replyed, I could not for my life speake to him of that, (Dr. Michelson was gone not an hower before to his wife, fallen then sick;) where-vpon he sayd he would doe it, and went to his bed-side, askt him how he did, and how he found himselfe? Weaker and weaker, he replied, but out of paine. Sayes the doctor, Your age is great, and sicknes in the youngest and strongest is doubtfull; if you haue any thinge to doe as to your estate, it were well if you did it. My father replyed, I thancke you, doctor, with all my hart; I haue noethinge to doe but to dye, and I hope I am prepared well for my change. Dr.

On the road, in the coach, was taken with a vomitinge.

Doctor sent for.

How he behaued himselfe when the doctor minded him of setlinge his estate.

* John Michelson, S.T.P., had been ejected from the rectory of Chelmsford and vicarage of Asseldham, and barbarously used by the sectaries and soldiers, in 1642. He lived to be reinstated in 1660, and, resigning Asseldham to his son, obtained the rectory of Orsett, which he held with his other preferment till his death in 1674.

Michelson iust as he went away sayd prayers in his chamber, to which he gaue, as euer he had done, great attention; and when all was ended he sayd to the doctor (repeatinge that expression, "and diligently to liue after Thy commandments"), "What a word is that diligently!" and expressinge great satisfaction he had in the doctor his companie, and comfort by his prayers. He was desired to repose himselfe, and Dr. Michelson went to his wife to Writle (for he had binn long sequestred from both his liueings, Chelmsford and Asseldham). The doctor came back, finding his wife in noe dainger, and the next morninge he prayed with my father, after which he desired the doctor to give him the absolution of the Church, (I thinck the doctor askt him the question,) which the doctor gaue, and he deuoutly and thanckfully receaued; and within less then an hower after died, his senses continuinge to his last gaspe. Thus he had liued, and thus he died, in a full old age. And what Plinie sayd of Virginius Rufus I may well applie to him, "*Plenus annis, plenus honoribus obijt, etiam illis quos recusauit.*" I will [quote,] as may properly and truly be sayd of him, what I find Symachus sayd of Vettius Prætextatus, "*Ille semper magistratibus suis celsior, in alios temperatus, in se severus, sine contemptu facilis, sine terrore reverendus.*" He was a man of a midle stature, in his youth spare and actiue, in his age not fatt nor gross, but fleshie; very temperate in diet. He was of profound judgment in the lawes, a very patient hearer of causes, free from passion or partialitie, very modest in giuinge his opinion and judgment, which he did vsually with such reasons as often conuinced those that differd from him; and the auditorie, euen the learned lawyers, learnt of him (as I haue heard Twisden, Wild, Windham, and the admired Hales, and others, acknowledge often). Mainard told me lately he was the modestest Judge, not only of his tyme, but that euer he knew. He was not of a boistrous courage, but stronge, and not to be wrought vpon by feare or flatterie; sufficient

He had the absolution of the Church, and dyed within an hower after, on the 22nd September, 1654.

proofes whereof he gaue by refuseing imployments, which I haue mentioned, tho' he stood impeacht, and expected ruine, for his denial. He was buried the sixth of October followinge. Dr. Michelson buried him in Roxwell Church, accordinge to the prescribed forme in the Common Prayer: his funerall sermon was preached by Mr. Richard Argall, who had maried Mary Bramston, one of the daughters of Mr. William Bramston, his onely brother. Very manie of the gentlemen of the countrie attended his corps to the graue (tho' none were inuited, it beinge his express command that it should be with as litle pompe as was possible), and all the neighboringe yeomanrie that had any regard to loyaltie. In his life-tyme he had maried all his daughters, and gaue portions with them proportionable to the estates of theire husbands. He setled a faire estate on me vpon my mariage. He settled on his second son Moundeford Bramston 200*li.* per annum, with his wife's portion, which was 1000 markes (I thinck), and at his death gaue him 700*li.* legacie, 500*li.* of which was at my instance and intreatie, when he lay on his death-bedd, and had finished his will before in his perfect health. My brother, haueinge manie children, and through the misfortune of the tymes beinge throwne out of his profession, haueinge turned grasier and turned countrieman, he contracted debts which I did see he could neuer pay without helpe, and when I vrged my father to it, he replyed, I haue done well for him, and you will find it difficult to pay my legacies I haue giuen. He in his life-tyme gaue his third sonn Francis a house in Wappinge of 50*li.* per annum rent, and a yard of x*li.* per annum alsoe in Wappinge, and monie in his purse (intending to be his owne executor). He was soe well prouided for monie that assistinge me in purchase of Lightfoots with his monie, I sold to him and he purchased of me a farme called Marks, of 60*li.* per annum rent. He alsoe purchased some lands of the Lady Jaye, which he sold after he was out of his place to Mr. Pennington for 1250*li.* All this putt togeather made a faire estate; but,

Dr. Michelson buried him in Roxwell church, 6th October, 54, by the Common Prayer.

R. Argall preacht the sermon.

Some things concerninge him and his estate repeated.

consideringe the imployments he had, was very meane, if compared with others of that profession. But then it must be considered he always liued plentifully, equall to his dignitie, and alsoe longe after he was out of imployments, that is, from 1642 to 1654, vpon the quick stock; and he had besides a great familie, great resort vnto him of the well affected (but nicknamed Malignants). The estate which he inherited from his father was not 200*li.* per annum, part of which beinge setled on marriage, tooke off the custome of the mannor, which, beinge gauelkind, what remained vnsetled was diuided amongst the sonns, and one moietie of what was not setled descended to his brother William Bramston, but how much I doe not certainly find. His share, whateuer it was, is gone, and sold to straingers, and what my father's share was I know not. He sold much, and there was only setled on me at my mariage a large tenement, with a garden, built since by Mr. Canie, the lessee, into manie tenements, and some few tenements to the streete, all in the same lease, at 62*li.* yearly rent; but Canie hath built at least 60 houses vpon the premises, vpon a longe lease made by my father and myselfe but a litle before my father's death.

Here begins my owne storie.

Hauing brought my father, his two wiues, both my younger brothers, one sister, Mrs. Porter, the husbands of my three sisters, my wife, her father and mother, her two sisters, and fower of her brothers, and almost all my younger acquaintance to their graues, thre Kings, and the fowerth entred 6 months into his raigne, after two rebellions, one in Scotland and the other in England, it is high tyme for me to take vp my rest, which I am very willinge to doe, when it shall please God to call me to my eternall repose; yet beinge still amongst the liueinge, and in good health (tho' neere the end of my seuentie and fowerth yeare of my age, this beinge the 8th day of August, 1685, when I am transcribing what was formerly remarked, and adding what I haue in short notes), that I may in some measure performe what I before promised, that is, to let them that are to come

after me know something besides my name, I will giue a breife account of my selfe and my demeanour.

I was borne at Whitechappell, in Middlesex, in a large, and, as the tymes then were, a handsome, if not a stately, house, where my father then liued, the inheritance from his ancestors. I was baptised in that Church the xjth day of September, 1611, of virtuous parents, which hath been accounted in all ages honorable. They carefully educated me in the true Reformed religion, established by law and taught by the Church of England, (to which I haue constantly adheared, neuer inclininge to Poperie, but holdinge with my mother the Church, in all points wherein the Church of Rome differeth from her, whateuer libellers haue sayd to the contrarie, and to which I shall haue occasion to speake in recountinge the followinge course of my life.) At first I had one Andrew Walmsly for my schole-master from 8 to 13 or 14 yeares of my age, when I remoued from him to Mr. Farnabie.* My first master was a popular preacher, Vicar of Blackmore, in Essex, within fower miles of Margetinge, the place where my mother was in summer with ner children. The scituation and conueniencie of neighbourhood weighed downe all other considerations, and byassed my mother, she beinge tender, if not fond, of her eldest sonn, my-selfe beinge younge, and not sturdie. The house my father had, and held by rent of the Lord Petre, of whose Courts and mannors he was the Steward by patent. The house stood almost in the midst of his estate, and had binn the habitation of his former Steward, Mr. Rigely, to whose widow my father had payd 20*li.* yearely for her life, and as much to the Lord Petre. My mother dyinge, I was sent for home at Christmas (and my grandfather and grandmother were come from Milk streete to liue with my father at Phillip lane). My master prepared for me a present to my

I was borne in Whitechappel.

Baptized xj day of September 1611.

Sent to schole at Blackmore (and the reason) to Mr. Walmsly.

* Thomas Farnaby, the learned grammarian, who in 1646 opened a school in Goldsmiths' Rents, near Cripplegate, where his scholars soon exceeded 300. He died in 1647.

The reasons of my remouall to Mr. Farnabie.

father, by way of a New Yeares guift, in Latin, which at the tyme I presented he caused me to read it in presence of my grandfather; which when I had done, my grandfather sayd, "Faith, boy, I am glad thy master cann doe soe well." Indeed he was a very meane superficiall schollar, and I belieue did his best. He putt me forward in bookes; I learnt Virgill and Isocrates, and, although he would bragg very much of me and my bed-fellow Mr. John Vernon, allied by his mother to my father, yet had he not grounded us in grammer (nor, indeed, was he able, I am perswaded), the want whereof was a great miserie to me euer after. But the sending me with the epistle, and another thinge which happened, were very happie accidents to me (and my brother Moundeford especially). I meane a cruelty he vsed to him, who was come thither but lately, vpon the death of my mother, and was no higher then the accidence. He

His vsage of my brother Moundeford.

called to him one morninge to say his lesson; (he had sent me and my cousen Vernon, with our dinners and our task, into his grounds, lyinge at a distance from his house, to see that his catle trespassed noe bodie, nor that any bodie trespassed him;) my brother failed of sayinge his lesson; our master whipt him so seuerely with an elme rod, that at night, when my cousen and my selfe returned, the boyes met vs, and told vs how my brother had binn vsed, and for what fault. The man was, indeed, of a temper very unfitt for a scholemaster, very passionate, and beinge ouer angrie with any one, he was like a furie to wife, children, seruants, schollars, all the house. His wife had some wayes displeased him that morninge, and, beinge in a passion, my brother had the luck to haue the first efforts of his anger, to whome he gave 50 blowes with the great rod (as the boyes told me). When my cosen John Vernon and my-selfe came in at night, and had giuen account of our dayes worke and taske he had set vs, he sayd to me, "Your brother hath binn a very naughtie boy, and I was forct to correct him a litle." I made no replie, but I wrote that night a letter to my

father how my brother had binn vsed, what his fault was. My father hereupon tooke resolution to remoue vs both. This master was a greatly followed preacher, lecturinge at Ongar and other places, a great pretender to sanctitie and relligion, but yet he suffered his boyes to rob ponds, and kill in snow and frost the pidgeons of his neighbours, which wee did by makinge a thrap, with corne vnder a dore, which wee tooke off the hinges and propt it with a stick, to which we fastened a line which wee putt through a lattice in a lower rome, where one held the line, and we were out of sight; and when the pidgeons were vnder the dore, we gaue a pull, and, the stick comeing away, the dore fell on the pidgeons, soe we culled at a pull a dosen or more at a fall, and soe wee did often. He at first seemed angrie, but the pidgeons were baked, and we eate them, and his wife commended us, and we followed the trick vntill we had destroyed all the pidgeons in Smyth's Hall doue-house. I could tell stories how we robd the neighbours' ponds; but this shall suffice as an argument of his hypocrasie. From him I came to Mr. Farnabie, whoe taught schoole in a garden house in Goldsmyths' allie, a fine airie place; he had ioyned two or three gardens and houses togeather, and had a great manie boarders and towne schollars; soe manie that he had 2, sometymes three, vshers besides himselfe. I boarded with him, tho' my father liued then in Phillip lane, very near the schoole. The first day I came he tooke me into his studie; and after he had inquired what bookes I learnt, he gaue me pen, ink, and paper, and bid me make a theame on "*Ex argillâ quidvis imitaberis udâ.*" I sayd I vsed to haue a weekes tyme to make a theame. I doe not desire much, sayes he, but let me see what thou canst doe. I sett my-selfe to it, and did as well as I could. He came at xj of the clock to see what I had done; and, reading it, cryed out, "Oh Heauens! where hast thou binn bred?" Soe in the afternoone he placed me in a forme vnder those that read Virgil, which yet was too high for me, but I thinck he was vnwillinge to

Of which I gaue my father account.

The hypocrasie of that preacher, conniuing at the schollars.

My comeinge to Mr. Farnabie.

How he found me, and what he sayd vpon the theame I made.

discourage me too much. With him I stayd more than two, nay, full three yeares. At partinge, he shewed me my first and last theames, and sayd, "Thus you came, and thus you goe; God speed you!" From him I went vnto Wadham Colledge, in Oxford; a colledge founded not longe before by Mr. Nicholas Wadham, whoe, dyinge before it was finished, left his wife to doe it. She was a Petre, sister to the old Lord Petre; and some priuilidges there are to Essex men borne, preference *cæteris paribus* for 3 schollars and 3 fellowes; but I came [not] thither on that account, my father not designinge me for an Vniuersitie life. Dr. Smyth was warden at that tyme, and the second warden from the foundation, he hauinge binn one of the first fellowes, as was my tutor, Mr. John Goodrich, another; he was not a much better schollar then my first master. He professed phisick, but practised not. He was recommended to my father for my tutor by Dr. Spicer, phisitian then to our familie, for my grandfather * was then blinde and past practisinge, he beinge 81 or 82 yeares old. I found there some gentlemen yet liuinge, Thomas Weston, now Earle of Portland, Sir Thomas Orbe, whome we then called Arpe, and there was Mr. John Stukeley, lately dead. Mr. Weston and Mr. Stukeley had the same tutor as I had. Mr. Weston was second sonn to the Earle of Portland, Lord Treasurer at that tyme, by a second venter. To him the Earle his father gaue Skreenes, and of him my father bought it.† Tye Hill, which my father bought at the same tyme, was giuen to the elder brother, Jerom Earle of Portland, whoe dyinge, left a sonn, which died without issue, and the earledom descended to the said Thomas, whoe is yet liuinge in Flanders, haueinge litle to support his tytle; but he being single now (for his lady is dead), and

And what at our parting.

I went thence to Wadham College.

My tutor.

My fellow pupills.

* Dr. Moundeford.

† "Tom Weston, the Lord Treasurer's son, hath sold his father's antient inheritance in Essex to Chief Justice Bramston for 8000*l.*"—*Strafford Correspondence*, 1635.

haueinge noe bodie but himselfe to menteine, he liues in a monasterie, and is, as I am told, cheerefull and well contented. His sister, the widow of his brother, is yet liueing, and hath in jointure what is left of the estate in the Fenns 1200 pounds per annum. I continued in Wadham College neere 3 yeares. I was too younge when I came thither to be matriculated with the oathes, soe I only subscribed to the articles of faith and relligion. I there first receaued the communion, which was as soone as I was capable by the lawes of the church. From thence I remoued to the Midle Temple, the same inns of court where my father and his great-vncle Thomas (that is, his father's vncle), whoe was younger brother to John Bramston, grandfather to my father, had binn educated. There I studied the law; had for my chamberfellow Mr. Edward Hyde, (since Lord Chancellor, and Earle of Clarendon,) with whome I continued a strict freindship euer after. In that societie I performed the vsuall exercises, and was called to the barr the same yeare my father was made Lord Chief Justice of the King's Bench (that is, the yeare 1635). On the 19th of Nouember followinge, I married, in the parish church, St. Diones Backchurch, London, vnto Alice, the eldest daughter of Anthony Abdy, alderman of London. I tooke a house in the Charterhouse yard, and fell to the practice of the law, goeinge the circuit with my father into Norfolk, Suffolk, &c. and continued soe to do as longe as the temper of the tymes would allow me, and vntill, as I may say, the drums and trumpets blew my gowne ouer my eares; for soone after the warr begann, in the yeare 1642, my father being remoued, as I haue sayd, and the rebells masters of the citie, and the associated counties, of which Essex was one, and the Judges makeinge a nose of wax of the law, wrestinge it to serue turnes, (and interpretinge Kinge for Commonwealth or Parliament,) my father aduised me to sell my chamber in the Temple, and quitt my gowne, lest I fell into inconveniencies if I continued at the barr. Soe I sold my chamber, and gaue away my gownes, and retired to as much priuacie as I

How longe I stayed in the college.

Thence I came to the Midle Temple.

Mr. Hyde, since Lord Chancellor, my chamberfellow and freind to his death.

I married 19 November, 1635, to Alice, one of the daughters of Alderman Abdy, the eldest.

I tooke a house in Charter House Yard.

Quitted the gowne.

could, boarding with my sister Porter, and soe continued during my father's life, and some tyme after his decease. I had maried (as I haue sayd) the daughter of Alderman Abdy in the yeare 1635; the yeare following she being with child had a very daingerous distemper, which left her not vntill she was deliuered of a sonn, which beinge borne aliue the 16th of May, 1636, was immediately baptised by the name of John, and dyed within less then halfe an hower after; it was but the sixth month; had it binn one month more, phisitians sayd it might haue liued. My wife was brought very weak with that miscarriage; she was in her father's house in Lyme street, and whilst she was there the sickness broke out in London, and one died in a litle house in that streete, betweene the back dore and the fore gate. We could not stirr. The Alderman and his familie went to Leightonstone, where he had a countrie house, as he did vsually in summer. Wee alsoe remoued thither as soone as we could possibly, where againe the same distemper pursued my wife; and her phisitians Dr. Fox and Dr. Spicer; which Dr. Spicer was allied by his wife to the Alderman, and whoe had not only prouided me a tutor, as I haue sayd, but was proposer of the match betweene vs. They came daylie to her from London, at my very great charge. Shee recouered, by the blessing of God, and had fiue sonns and fower daughters after, viz. Abigale, borne the 23rd of August, 1637; Mary, borne the 15th of August, 1638; John, borne the 22nd of August, 1639, whoe died the last day of December, 1640; his nurse had let him catch the itch of her children, or had some other way negligently tended him that he brake out, and she, to cure it hastilie that wee might not know it, applied, as she sayd, burnt or fried butter, on browne paper, whereby grew a great soare on the brest, and a core came out (soe that one might see the very hart pant). I had a very good surgeon, but [he] could not cure him, nor saue his life. He was a very louelie child. A litle before his death, viz. the 26th of September, 1640, was Anthony borne, at my house in the Charterhouse Yard, where were all the rest, Abigaile only excepted, (and the

The first sonn, borne before its due tyme, dyed after baptised, my wyfe haueing been very ill a longe time.

In that tyme the plague broke out.

My wyfe continued sick of the same disease that made the abortion.

The births of the rest of my children.

first child,) she was borne at Skreens. My wife had three other sonns, but all died younge, and before her, except William, whoe died within less then a yeare after her. She left two daughters more, viz. Bridget and Elizabeth. Bridget died at my sister Porter's, in the Bell Yard, the year after. My daughter Marie maried Sir Andrew Jenour, Baronet, the 4th day of March, 1678. Anthony maried to Katharine, one of the daughters and heires of Sir Thomas Nutt, by Katharine, daughter of Sir Thomas Parker, of Sussex; the other daughter is maried to Sir Thomas Dyke, of Horeham, in Sussex, Baronet. Elizabeth my youngest daughter maried first, bestowinge her selfe on Moundeford Bramston, her cousen german. This mariage trubled me extreamely, not only because I knew my brother had very manie children to prouide for, had litle which he could part with, and, haueinge bred his sonn to a profession, had hopes of a better portion then I could giue, but in truth my concernment was cheifly the neerenes in blood, it beinge but one degree from incest (brother and sister); yet tyme, and the perswasion of freinds, preuailed with me to forgiue that which was past remedie. I found too that the prohibitions of the Church had varied as to the degrees, and was rather politicall, then for any prohibition in the Leuiticall law. On the 4th day of September, 1640, Abigale,* the wife of Alderman Abdy, died in Lyme Street, my wiues mother; her husband at that tyme very sick, and died alsoe the tenth of the same month. They were both buried on the first day of October followinge in one graue in the parish of St. Diones Back church. My wife and my-selfe were at Skreenes when they sickned. Soe soone as wee had notice wee came away with what speede wee could, I immediately, but my wife was great with child, very neere her tyme (with Anthony), and could not moue soe fast as I did; and yet was our mother dead before I came. My wife came to towne to my house in the Charterhouse before her

How many children maried.

Mrs. Abdye and the Alderman, father and mother of my wife, died.

* She was daughter of Sir Thomas Campbell, Alderman of London.

The children of the Alderman.

father dyed, but did not see him. I watcht with him the night before he dyed, and stood by him when he expired; soe did his sonn Thomas, since Sir Thomas Abdy, Knight and Baronet. The disease that caried them both away was a high pestilentiall feauor. His second sonn, Robert, (after Sir Robert, and Knight and Baronet too,) and Nicholas his 4th sonn, were abroade, for they were bred vp merchants. John, the 3rd sonn, was at Cambridge, a schollar of Trinitie College, afterwards fellow there, and at last a Baronet alsoe; rarely seene 3 brothers aliue togeather Baronets. Roger, his fifth sonn, was at home with the father. He made Robert and Nicholas his executors; but they beinge abroade as I sayd, the one in Turkie, the other in Italie, it was necessarie that administration should be granted in their absence to some bodie; and, none fitter then the eldest sonn, I became bound with him for his duely administringe in a very great sum, 100,000 pounds, which bonds with much difficultie, at the returne of Robert, I gott vp againe. Besides these mentioned sonns, and my wife, Alderman Abdy had two daughters, Abigale, who died in the life-tyme of her father and mother at Leighton, and Sarah, who suruiued them, but dead within a yeare after, at Felix Hall, in Essex, her eldest brother's house, where shee chose to liue, rather then with the executors, both younge men and bachelors. When the Alderman made his will, his wife was liueinge, and in good health, and soe, according to the citie law, he diuided his personall estate into 3 parts, and gaue the third part, called the dead man's part, (that is, the surplusage of it, debts and legacies payd,) betweene his fower younger sonns. But his wife dying before him, his estate came by the like law and custome to be diuided into two parts only, and soe the whole personal estate, debts and legacies payd, came to the fower sonns, by which meanes neither the eldest sonn, my wife, nor the other daughter, Sarah, had share of the estate; and it swelled the younger brothers' portions soe that they (in truth) despised their eldest brother,

The increase of the younger sonns' portions, beyond the intent of the father.

and they neuer after liued in cordiall affection. He had intayled all his lands soe as the eldest sonn was by virtue thereof to inherit at last, as thus: if Robert died Joseph was next in tayle; if Joseph died Nicholas was next in tayle; if Nicholas died Roger was next in tayle; and if Roger died then his eldest came in tayle. Now it fell out that Roger, the youngest, died first, and soe Sir Thomas had the Antwerpe tauerne by virtue of that intayle; then Nicholas died without issue, and Sir Thomas had the house and lands at Leighton; then Joseph died, and Sir Thomas had his lands; and soe all the Alderman's lands, but what Robert had, came to Sir Thomas. Sir Robert maried one of the daughters.* This I haue set downe togeather as suitinge best with my thoughts, it beinge totally a digression from my designe; wherefore I shall now returne in pursuite of my first intent, haueing digressed often and longe. In the year 1642, my father as I haue shewed beinge discharged of his office, and my selfe haueinge quitted the gowne, I liued as priuately as I could in the Charter House Yard, which beinge as it were betweene London and Midlesex, I escaped watchinges, sending out soldiers, and payment of taxes a longe tyme, one cause of which I impute to the help I had from my father-in-law, Alderman Abdy, in the layinge the ship-monie, when he left me out, as beinge in Midlesex, of the Citie Roll; and by the help of Sir Henry Spiller and Mr. Longe, two Justices, and great rulers in Middlesex, I was left out there, as beinge in London, my house beinge within the barrs, and soe truely in London. By these meanes, or some other, I was very quiet, neither findinge soldier nor payinge taxes. At length, my mother-in-law dyinge in June, 1647, my father tooke me and my wife to Skreenes that summer, and at Michaelmas he came with me to London, to my house, intendinge to liue there; but my wife dyinge there the 9th day of February, in the same year,

He intayled all his lands; and the youngest dying first, Sir Thomas inherited by the intayle all but was giuen to Sir Robert Abdy.

How I escaped taxes in the Charter House Yard.

My father came to liue with me there.

My wife died.

* The words here omitted were probably [of Sir John Gayer, Alderman of London,] viz. Catharine, Sir Robert Abdy's wife.

How I disposed of my children.

wee both resolued to liue with my sister Porter in winter and at Skreenes in summer; soe I putt my two eldest daughters to Hackney to schoole with Mrs. Salmon, and sent Hester Butler, my wiues mayd, with them. My sonn William died soon after my wife; my sonn Anthony and my two younger daughters I tooke with me to my sister Porter's, having sold the lease of my house to the Lord Grey,* my next neighbour. On this house I had bestowed in building stables, coach-house, and a tenement 300 pounds. The tenement I lett to a baker at 18 pounds per annum rent. I litle thought of beinge soe soone remoued thence; but God had other-wise disposed, and he takeinge my wife I was constreined to part with it. But I must looke a litle back. Litle more then a yeare after I maried, I and my wife beinge at Skreenes with my father (the plague beinge soe in London, and my building not finished), I had exercised my-selfe with a stone bow and a spar-hawke at the Bush, and beinge extreame wett sometymes I caught cold, which brought on me a rhumatisme, or runninge gout, to great extremitie. At first it was only in one of my anckles, which as I rose in the morninge payned me some-what; soe I sayd to my wife, Surely I sprained my foot yesterday, and knew it not. When I had drest myselfe and went out of my chamber, I felt the like paine in the other anckle, and was forced to returne into my chamber; the paine increased and gott vp into the hollow of my knee, and by degrees into euery limbe before I was well againe. There liued at Chelmsford at that tyme one Viaes, a Dutchman, a good phisitian, but a very drunken fellow. He was sent for, came, and let me blood, and did administer otherwise to me; but my paine increasinge, and the disease spreading into other parts of my bodie, my father would needes haue Dr. Spicer sent for from London, whoe came, and brought his apothecarie with him, and, vnderstandinge I had binn let blood, he swet me by botles of hott water. But yet my paines ceased not; the gout

My first fitt of the rhumatisme.

* Lord Grey of Warke.

had its course 40 dayes at least, and then left me very weake in all my limbs, and it was a longe tyme before I recouered my strength. But I had noe more fitts of that distemper in 16 yeares; and then I had a much worse (as I shall tell it in course of tyme). I continued in priuacie, sometymes at my house, sometymes at Skreenes with my father, without medlinge with any busines, and for the most part reading histories, and such books of controuersie as the tymes gaue occasion for writinge, expectinge still when it would please God to putt an end to the diuisions. To Screenes [came] my brother and sister Palmer and theire children, the warr beinge sore in those parts where his estate lay. My brother, Moundeford Bramston, his wife, and children were there alsoe; and all at my father's charge. But the warr continuinge my father found himselfe not well able to beare the charge of soe great a familie (wee were aboue fiftie); wherefore he required vs to contribute toward the table, and to find oats for our horses; fier we all had for noethinge, and hey and grass for our horses. Straingers or other relations came not to lodge; indeed there was but one chamber fitt to lodge a gentleman in, emptie, and yet that too after a while was filled too, for the Lord Brabason, driuen out of Ireland, came with his lady thither to his aunt. My sister Porter and her husband were at Margeteinge. He in a manner gaue ouer practice too, tho' a very good lawyer, but loyall and therefore termed malignant; a word applyed to such as sided not with the Parliament. Thus we hearded together for the most part of the tyme after the warr began; but the King's forces were weakned, and manie of his garrisons surrendered, and seuerall had made their composition, wee began to seuer, and I went to my house, but liued without any imployment. In the year 1647, my mother-in-law beinge [dead], as I haue shewne, my father resolued to liue with me at the Charterhouse. I and my wife were sent for by my father when his wife was sick, and stayed there that summer with him; and on the 17th of November that yeare (1647) wee

The numerous familie that my father had at Screenes.

My wife sickned and dyed soone after my father came to liue with me at Charterhouse.

all remoued from Screenes to the Charterhouse yard. In the way the coach goeinge vneuenly, or by some shogg, or jolt, or fright (for she was very fearefull in a coach), or by a fall she had in the house, or with a fright she had in Thorowgood's shop, the linnen-draper, by a foot-ball kickt into the shop, which hit her on her belly, then very bigg, and she neere her tyme, or by all these accidents, she takeinge hurt, she fell ill, and vpon Munday the 20th of December, in the night (I beinge then gone downe on some occasion to Screenes), she sent for her midwife at midnight, and sent a letter to me (which yet I had it not before Thursday, and was iust takeinge horse to come to London). When I came home I found her very weake; she had aduice of freinds, and also of phisitians, tooke manie medicines, and contined ill to the 18th of Januarie, when by aduice of all her freinds I sent for Dr. Chamberlin * to consult with Dr. Prugean † and Dr. Leonard, who had binn her phisitians from the first. Chamberlin's opinion was she must instantly be deliuered, or would unauoidably die (she was not at her full tyme by six weekes), and yet with all he conceaued her soe weake that he feared she would die in remoueinge. The woemen all thought the child to be dead; my wife haueing had a shiueringe cold fitt in great extremitie about sixe of clock the morninge, at which tyme they felt the child giue two or three violent motions. The others, Drs. Prugean, Leonard, and Wright, were against deliueringe her by force; and I remember Prugean sayd, *Opus naturæ, naturæ relinquendum est*, formally enough. Euery one conceaued her case desperate. The question beinge, as Chamberline sayd, not soe much which way she should liue as which way she should dye, I consulted her relations, Sir Thomas Abdy her brother, Sir Christopher Abdy her cousen german, and others. They all heard and considered what the phisitians sayd, and thought fitt that Chamberlin

The manner of my wife's sicknes and death.

* Hugh Chamberlayne, an eminent accoucheur.

† Sir Francis Prujean, in 1665 President of the College of Physicians.

should deliuer her; which beinge resolued on, he came to her and told her the minds and opinions of her freinds, that her case was desperate as to her bodie, it beinge probable she would dye in remoueinge, before he came to do his worke, and he hoped she was prepared. She replied, she expected death, she hoped she had made her peace with God; but she was willinge to vse him as a meanes, which she hoped God had sent for her life, and soe desired him to doe the worke he came for. He tooke the child from her; she continued in life a day or two, but very weake; on the eleuenth day of February she tooke leaue of me and those children which were in the house, and of all her relations; beinge sensible to the last, tooke leaue of vs all, and dyed that afternoone. I caused her corps to be carried to Roxwell, where it lies buried in the chancell. She was a virtuous and relligious woeman, a most carefull indulgent mother to her children, instructed in the Churche Catichisme, teachinge them the Lord's Prayer, the Commandments, and the Creede, which she heard them say constantly euery morninge, and some Psalmes and Chapters, which she selected both in the Old and New Testament. She would daylie dress one or more of the gyrles with her owne hands, and kept them cleane and neat; but cared not to haue them costly clad. She was a very obseruant wife. I scarce euer went a journey but she wept. She liued and dyed a good Christian. She was mother of tenn children in the twelue yeares she was a wife, fower daughters and six sonns, tho' when she died she left only two sonns, one of which suruiued but a short tyme.

She lyes buried in Roxwell chancell.

After the death of my wife, I euery day grew more sensible of her loss in regard of my children; but, haueinge disposed of them as I haue sayd, I liued in all priuacie at my sister Porter in the winters, and in summer we came to Skreenes, continuinge soe to doe vntill, as I sayd, my father dyed, the 22nd of September, 1654; and all the winter I stayd with her, hauinge taken my two daughters from Hackney schoole long

After her death, I lived with my sister Porter.

before. My eldest daughter, Abigale, was gone with my sister, Lady Dyke, to Horeham, in Sussex, whether in the springe I intended to goe and fetch her home; and, hauinge sent for my horses to towne, it hapned there was a risinge in the West (I thinck Wagstaff had seised on Rolls at Salsburie), soe that the horses about the towne were seised, and mine with the rest of the malignants, as we were called. I had 9 in towne at that tyme; by good luck, a fellow that had brought some of them to towne lay vpon the hay ouer the stable, and hearinge them brake open the stable, and seinge them carrie away my coach horses, (the other fiue were at an inn,) came runinge in the night and told me. I sent him back, chargeing him and my men to follow and lodge them, that I might know where to find them in the morning (this was a thinge I had knowne formerlie done). I gott vp, and by the assistance of my freind Mr. Edward Smyth, (after Sir Edward Smyth, Cheife Justice of the Common Pleas in Ireland,) who went with me to Mr. Hooker, a justice of peace at that time (tho' not much of that partie; he had binn one of the attornies in the Star Chamber); by his interest, and a certificate from him to the collonell, I recouered my horses; but the partie that rose was defeated and Rolls rescued, and soe I went my journey next day, and returned againe home. But when Crumwell dyed, and his sonn was owned and receaued Protector by some of the officers of the armie, tho' opposed by others, differences grew. Fleetwood and Desburrough, great men, and allied to that familie, yet thought themselues as worthy as Dick Crumwell; and Lambert, not less ambitious then they, ment to haue the command from them all, and set vp for himselfe; but yet Thurlow and the maior part of Crumwell's counsellors caried [it] for younge Crumwell, alledgeinge it was the old Protector's will; and he had possession of the title of Protector, and adresses came to him acknowledgeinge him for such from most counties; yet manie would indure noe single person. By this meanes differences

My horses seised on a risinge in the West.

Which, with the assistance of Sir Edward Smyth and Mr. Hooke, I gott againe.

The difference amongst the officers of the armie.

Adresses to Richard Crumwell.

grew here. Munck, whoe commanded in cheife in Scotland, and by building forts and by garblinge his armie had perfectly mastered that nation, of which Oliuer was jealous, and in his life-tyme had sent for him home, which he still euaded and excused, as that he durst not trust the Scots. Lambert knew he should not effect his designe if Munck stood; and Munck was certain to be destroyed if Lambert preuailed, or Richard stood. Munck first garbled his armie, both officers and soldiers, that he any way had doubt of, or that he could not absolutely rule, and preuailed with the Scots to raise monie for his journey into England; and, leauinge the principall command of those forces he left behind vnto Collonell Morgan (a litle man, but a very great souldier), he, with a small armie, but well affected to him, marches for England; and haueing by his great taciturnitie concealed his designe, and, temporising, fooled Scott and Robinson, two spies sent from the Rumpe to discouer his designe, he came by easie marches to London, refuseing to come into the citie vntill the other armie was remoued thence to other quarters, pretendinge the hassard and dainger of quarrels if both armies should be mingled in the same quarters. As he came through the seuerall counties, he was visited by all parties, the Lord Fairfax amongst others, whoe offerd him his assistance, as did others, but would [take] none, and he promised a free Parliament to such as desired it. So soone as he came to London, the Rump sent to him to pull down the citie gates. He tooke vp his quarters at Mr. Wale's, the wine merchant; now he had binn a vintner. Munck obeyed their commands, and did pull downe the gates; and, vnderstandinge well what was designed against him by the Rumpers, whoe resolued to take the sole command of the armie from him, and make him at most but the third part of a generall, he marched of a sudden with his armie out of London to Westminster. This made the Councill of State, as they were called, to scatter and shift for themselues; some rann quite away, and Nicholas Loue, a ba-

Munck in Scotland, and his behauiour before and after he came into England.

His taciturnitie, and fooling Scott and Robinson.

He came to London, and, at the command of the Rump, pulled down the citie gates.

Marches vnexpectedly vnto Westminster.

At which the Counsell of State scatter.

rester of Lincoln's Inn, whoe was to be Presedent of the Councill at that tyme, beinge come to Whitehall, and in their councill chamber, made hast and gott into some hole, neuer heard of after that I could learne. Munck calls the secluded members to come to their places (they were Presbiterians, whoe were throwne out of the House by Cromwell and the armie), which manie of them did; and he appoints out of them a secret councill. Amongst these was Grimston, Maynard, Swinfen, old Lenthall, &c.; but he had agreed with them to dissolue soe soon as they had issued out writs for a free Parliament, which all men desired; and soe writs were issued vnder the name of the Keepers of the Liberties of England. The Kinge at that tyme was in France in exile, but warilie and wisely had remoued to Breda neere the sea side. The countie of Essex, I meane the nobilitie (except the Earle of Warwick), the gentrie generally, and much the greater part of the yeomanrie, chose my-self and Mr. Edward Turner * (after Sir Edward Turner, and Speaker of the next Parliament) for their knights. All that had binn actiue as justices of the peace, committee men, sequestrators, &c. opposed, and the clergie men alsoe, the generalltie of which were in sequestred liueings, or in noe orders, not manie in Presbiterian orders. But the nobilitie and gentrie laboured soe in the places where they liued, that they inclined the maior part of the freeholders (and my neighbours were to a man for me) to make choice of men well affected to peace. The other partie set vp Sir Harbottle Grimston and one Mr. Raimond, and a great contest there was. The Earle of Warwick labored soe hard at the election, and the weather beinge hott, putt himselfe with frettinge into a feauer, and was let blood. His follie partly, and cheifely my freindship, caused Turner to be chosen. The Earl of Warwick mistooke his

He calls the secluded members, and makes them send out writs for a Parliament.

I was chosen Knight for Essex, and the contest I had with the Earl of Warwick.

* An intermarriage took place subsequently between the Bramstons and the Turners. Vide Pedigree.

strength, supposeinge, because soe manie of the nobilitie and gentrie were against him, that the numbers on our side were swelled by the seruants and attendants of those noblemen and gentlemen more then by freeholders hauinge voices; and when my partie sent to his lordship in the feild to know whether he would yeild me for one, and that if he would, they would be content Sir Harbottle Grimston should be in the next place, he replyed, he would haue both or none; and there-vpon they returned answer, he should haue none. Now was Mr. Turner gone out of the feild, findinge he had soe small a number of himselfe, and, dispairinge of success, retired, intending to goe away priuately. Indeed, he had not appeared at all at Chelmsford, finding the Earle of Warwick feirce against vs, but especially against him, if I had not sent a letter to him by my seruant two dayes before not to desist, but to giue vp on the place if there be found cause; soe he sent me word he would appeare, but beinge there he was soe discouraged that, as I haue sayd, he withdrew out of the feild; and I sending my cousin, John Bramston, who had been a captain in the King's armie, is yett aliue, and collonell, to find him out, and bringe him back vpon the answer and replie to the Earle of Warwick, my sayd cousen found him out, and in a manner forct him into the feild, lending him his horse. Vpon the poll wee caried the election for both; I had the maioritie by 500 voices; he had not soe many, but more then either of the others. From that tyme to the dissolution of three Parliaments I was in constant seruice of my King and countrie in the House of Commons, and am now in the fowerth. In this interuall or recess of the first Parliament of King James the Second I take occasion to putt togeather my notes, and transcribe into this booke, and shall, if opportunitie serue, speake more of this Parliament when I come to it in course of tyme. In the first of these I tooke my measures from the Generall George Munck, and moued earnestly, and with the first, for restitution of the Kinge;

How Mr. Turner came then to be chosen.

How I behaued myself in that Conuention or Parliament.

yet not soe hastilie as did one Collonell Kinge, of Lincolnsheire, whoe yet was factious and fanaticall enough; in answer to whome one day Munck sayd, He could not promise to keepe the people quiet if such motions were made in the House; he found things were not ripe; and soe checkt him. I alsoe declared my-selfe early for episcopall gouernement, soe that Sir Anthony Irbie told Sir William Hicks, his brother-in-law, that his countrie-man spake desperately for episcopacie. I gaue noe negatiue to any name mentioned to be excepted out of the generall Act of Obliuion; and in all the publique Acts of that Parliament I had my share of paines and truble. In that Parliament I obserued Fairfax and Munck sate vsually, if not constantly, togeather in the House of Commons; and I presume that dull fellow, Fairfax, found his follie, whoe had the like opportunitie as Munck to haue restored the Kinge, but wanted either judgment, or affection, or both; and therefore he sate mute and dispised, whilst the other, tho' no great talker, gouerned all. In this Conuention, for I know not how it cann be called a Parliament, beinge summoned by writs in the name of the Keepers of the Liberties, and without the Lords,—but yet the Kinge thought fitt to giue it the epethite of, and tearmed it, the Healinge Parliament, and continued it after his returne, vntill matters were setled, by tryinge some, attaintinge others (tho' dead), of those barbarous regicides that murdered his father, and by an Act of General Pardon and Obliuion, and by seuerall excellent lawes for the generall good and peace of the subiects, his Majestie, and the whole kingdome,—but I say in that Conuention the old Parliament men, Hollis, Perepoint, Annesley, Swinfin, and others of that gange, were too craftie for vs, of other designes; for Mr. Finch, Twisden, Thurland, myselfe, and some others, intended my partner, Mr. Turner, to be Speaker, he haueinge serued in other Conuentions, and soe we judged him better acquainted with the orders of Parliament then any of vs were whoe had serued in none; but ere wee got

Munck and Fairfax sate togeather in that House.

How the old Parliament men ouer-reached the young ones in theire designe of Speaker. Grimston Speaker.

into the house, after the sermons in St. Margaret's church were ended, they were seated, (as they had contriued,) and Mr. Pearpoint had named Sir Harbotle Grimston for Speaker, and they were conductinge him to the chaire before manie others were come into the House. And they were too craftie for that Kinge, with the helpe of Sir Orlando Bridgman, and Mr. Jefry Palmer, (who had binn of the King's partie all alonge the warr, were here vpon that place, and might haue better informed the Kinge, and those about him); for they perswaded the Kinge and Sir Edmund Hyde that the Kinge could not come home but by the Presbiterians, who all truckd for imployments and honors; whereas it was the Caualeere partie, the loyall gentrie, that brought him home in truth; for by their constancie to his interest, often plottinge and contriueinge his restitution, tho' with the loss of their fortunes and hassard of their liues, togeather with the quarrells and differences amongst the great officers of the armies, and the generall unsatisfaction of the people, tyred with the oppressions and change of their gouernors, and the endles diuidinge into sects and factions, the whole nation was desirous of the King's returne, without whome they see there would be noe end of warr and truble. But tho' this is certainly true, yet the Kinge, and those in power with him, especially Hyde, the Chancellor, beleiued the Præsbiterians did the worke, and accordingly that partie, whoe had the monie too, (the Caualiers beinge generally poore,) got all imployments. It is true Hyde continued Chancellor, the Duke of Ormond deseruedly made Lord Steward of the Household, and some few gentlemen had vnder offices; the Lord Southampton was Lord Treasurer; but the Earle of Manchester was made Lord Chamberlane, and yet it might haue been remembred that he was in the conspiracie with the fiue members when he was Lord Kimbolton, and that he tooke vpon him to be Generall of an armie against the King's father; that he had reformed as they called it the uniuersitie of Cambridge; that he had made seuerall

They outwitted the Kinge too, and gate offices for themselues.

speeches to the citizens of London to open their purses and contribute for mainteinance of the warr; and infinite other things, malitiously and wickedly against the Crowne; the Speaker Grimston made Master of the Rolls vpon the death of the Lord Culpeper, and Sir Anthony Ashly Cooper Chancellor of the Exchequer. These men, the Chamberlane especially, sold all offices, and the Præsbiterians purchased them. In this Conuention I had the chaire in seuerall committees of the House before and after his Majesties restitution, (the manner of which restitution I hope wilbe set forth by some knowinge elegant head and hand.) But I ought to haue noted that in the Conuention, after the King's returne, sate two blew ribbons, Knights of the Garter, in the Commons House, viz. the Generall Munck and the Admirall Mountague, one after Duke of Albemarle at the coronation, the other Earle of Sandwich. At the coronation of the Kinge, Charles the Second, which was the 23rd of April, 1661, St. George's day, I had the honor of beinge one of the Knights of the Bath, which I accepted (tho' I neuer desired it) rather then that of Baronet, which was offered me; but I refused, neuer likeinge a descendable honor; and in my judgment I did and doe thinck the honor of Baronets a great injury to the Crowne,* it takeinge off the dependence of soe manie considerable families in every countie, which, haueinge as much honor as theire estates are capable off, are not at all sollicitous to serue and apply to the Crowne. I might haue binn much cheaper a Baronet, for tho' I payd noething for the letter but the Lord Chamberlins Secretaries fee, and might haue had a warrant for a patent for Baronet gratis too, yet the equippinge myselfe, page, and seruants, with the fees, cost me 500 pounds, whereas the fees of the patent would haue binn vnder 200 pounds a great deale. Mr. Richard Luther, of Miles, in Essex, and Mr. Thomas Jenner, now

I was Knight of the Bath; why I accepted that rather than the Baronet.

* This remark upon the effect (constitutionally) of establishing the order of Baronets seems at once original and just.

Another Parliament called; I and Sir Benjamin Ayloff chosen Knights. It begann the 8th of May, 1661.

Sir Thomas, Sergeant at Law, and Recorder of London, were my esquiers. That Conuention or Parliament beinge dissolued, and a new one summoned by the Kinge, I was againe in nomination, and chosen Knight of the sheire with Sir Benjamin Ayloff,* a very worthie honest gentleman, had sufferd much for his loyaltie, by imprisonment in the Tower for proclameinge the Earl of Essex traitor (after Edge Hill batle); Sir Robert Abdy was at this tyme Sherriff; Sir William Wyseman, of Riuenhall, had binn at the former election. The Countie Court fell out to be in assise tyme. Wee obteined leaue of the Lord Cheife Justice Bridgman, then Judge of Assise, to read the writ and beginn the poll, and wee did (he lyinge in bed 2 or 3 howers in the morninge the longer), and wee adiourned the Court and poll for a fortnight. The first day Sir Harbotle Grimston and Mr. Reymond were nominated against me and Sir Benjamin Ayloff; but at the next meeting Sir John Barrington and Mr. Reymond were the men polled for. But I had started the first day before any of the rest, that none came neere me in number by very manie. Sir Benjamin Ayloff carried it with much difficultie; he had not aboue fiue or six votes more then the most of the others. At this election the Earle of Warwick appeared not in person; in truth the Kinge had caused the Lord Chamberline, who married† his father's widow at last, as he had done his daughter and his

The Earl of Manchester's strange mariages.

* Son and successor to Sir William Ayloff, mentioned before.

† The Earl of Manchester had five wives:

1. Susannah, daughter of John Hill, of Honiley, co. Warwick.

2. Anne, daughter of Robert Earl of Warwick.

3. Essex, daughter of Sir Thomas Cheek, by Essex, sister to Robert Earl of Warwick, and widow of Sir Robert Bevil.

4. Eleanor, daughter of Sir Richard Worsley, widow of Sir Henry Lee.

5. Margaret, daughter of Francis Earl of Bedford, widow of James Earl of Carlisle and Robert Earl of Warwick.

There was a fourth marriage between Rich and Montagu at this time; Robert second Earl of Holland, brother to the Earl of Warwick, with Anne, daughter of the Earl of Manchester, by his second wife.

neece at two former marriages, soe that he maried the Earle of Warwick's daughter, the Earl of Warwick's neece, that is, his sister's daughter, and the Earle of Warwick's wife; and, as Dr. Creton * sayd, could any but a Presbiterian doe this? But he had by order from the Kinge required the Earle of Warwick not to oppose me. He appeared not, but he sent all he could against me.

How I behaued myselfe in this Parliament.

In this Parliament I was in the chaire of manie committees of the whole House. As for the Hearth monie, a part of the King's reuenue, and some others, I was ordred vpon the debate in the House to bring in a Bill for suppressing conuenticles, which I did with clauses sufficient to haue done the worke effectually; but at the Committee some of them were left out, and that which remained is that now in force. By this, and by what I had sayd and done formerly, my name was knowne and tost about in the Dissenters' meetings, and odious to the fanatiques in generall; and they for that cause became my bitter enemies, which made them soe willinge to interteine a slander raised by Mr. Henry Mildmay,† of Graces, that [I] was a Papist. *Futilis calumnia, et quæ in se cupidos auditores nacta est, facile per se evanesceret,* as Mr. Caluin sayes in his like case.

The occasion of Mildmay's malice taken from my countinancing Dr. Michelson.

The whole storie.

The ground of his malice and the truth of the whole storie was thus:—The bridge which ioines Chelmsford and Moulsham beinge in some litle decay, it grew a question whoe ought to repaire it; whether the Lord Fitzwater, lord of the mannors of Chelmsford and Moulsham, the towne of Chelmsford, or the countie at large. It was commonly beleiued, and tradition had deliuered it for truth to that day, that the bridge was built by a Bishop of London whilst lord of both mannors,

* Robert Creighton, of Trinity College, Oxford, Chaplain to Charles I. and II., and after the Restoration Bishop of Bath and Wells. He had suffered much in the royal cause.

† See the note to page 1.

which was untill the tyme of King Henry VIII., before which tyme the roade to London lay through Writtle, as is traditionally told and beleiued; but this bridge beinge built, ioyned Moulsham and Chelmsford togeather, and layd the roade both to Colchester and Braintree, and soe was very profitable to the Bishop's tenents, as conuenient to the countrie and trauellers in generall. Litle had binn done to it in the memorie of any man then liuinge, only Dr. Michelson, Rector of Chelmsford and Moulsham, could remember that the copeing of the wall beinge a litle broken manie yeares before, he did see the carpenter laying a peece of tymber on the brick wall, and askt him where he had the tymber; he answered, from Moulsham Frith (which is a great wood belonging to Moulsham Hall), at that tyme and still, as are the said mannors of Chelmsford and Moulsham, belongeinge to the Lord Fitzwalter, as Lord of the Manors. The title of Lord Fitzwalter came to the Mildmayes by a match very collaterall at the tyme of intermariage; and for which the grandfather, Sir Henry Mildmay, had a great contest in the House of Lords, in the Parliament which began 3 November, 1640; but beinge poore and a prisoner in the Fleete for debt he could not preuaile, Sir Thomas Cheeke, who claimed from another daughter of another Earle of Sussex, makeinge strong opposition against him. But his grandsonn, Benjamin Mildmay, since the returne of his Maiestie Kinge Charles II., is receaued into the Lords' House; his Maiestie (by the character the Duke of Buckingham gaue him, for which he had 1000 guinies, and the Dutches of Cleueland a feeling too, as I haue heard,) beleiuing better of him then he deserued; whoe summoned him to the Parliament, and, tho' at first he came in as a Puisne Barron, yet afterwards he was placed accordinge to the precedencie of his title. But to returne: Vpon what the Doctor would say, and on presumption that accordinge to the tradition other euidence would be found, an indictment was preferred against the Lord Fitzwalter; but not soe carefully prosecuted by the Sollicitor of

And Mr. Camden says it in express tearmes in his Britannia.

How Chelmsford Bridge was made a burden upon the county for euer.

the Countrie as the weight of the cause required; which the Lord Fitzwalter, or rather his brother in law, Mr. Henry Mildmay,* who had married his sister, perceauing, by the aduice of his said brother, speeded the tryall, and a jurie was summoned for tryall of the trauersers in that indictment at the Quarter Sessions; which jurie, tho' it consisted of gentlemen, they yet were younge, huntsmen and comrades of the Lord Fitzwalter, as Mr. William Herris, the said sollicitor, told me as I came on to the Bench; and beside, he sayd he was not ready for the tryall. But the jurie was called before I came on to the Bench. I, vnderstandinge how it was likely to goe, and foreseeinge it would bee by this meanes cast vpon the countrie, I moued the tryall might be putt off; (all the counsell were reteined for the Lord Fitzwalter, whoe was not present himselfe;) and that the indictment might be remoued by *certiorari*, or another preferred at the Assises, and tryed before the Judge of Assise, whoe must needes be more indifferent then we were, it beinge a matter of great consequence, and perillous either to his Lordship, by layinge a burthen on his inheritance, or the countrie, by layinge a perpetuall charge on them; and indeed I thought it for his Lordship's aduantage rather then otherwise to haue it tryed be-

* The four sons of Thomas Mildmay, one of the Auditors of the Exchequer at the time of the suppression of the monasteries, who purchased the manor of Moulsham from Henry VIII., all became heads of considerable families in Essex, and early in the 17th century nine of his descendants were seated in different parts of the county. Amongst these, Sir Thomas Mildmay was created a Baronet on the institution of that order, and five others attained the distinction of knighthood. Upon the death of Carey Mildmay, of Shawford, Hants, the last male representative of the family, the Essex estates passed to his eldest daughter, Jane, who still survives, and whose husband, Sir Henry Paulet, Bart., of Dogmersfield, Hants, in 1790 assumed the name and arms of Mildmay, and died in 1808.

Henry Mildmay, of Graces, in Baddow, Sir John Bramston's implacable political enemy, of whom so much is said in the Memoir, was the great-grandson of the Auditor's second son, William, and married Mary, sister of his kinsman Benjamin Mildmay, summoned to Parliament, in 1669, as Baron Fitzwalter, by whom he left issue four daughters, and died in 1692. The Descendants of these ladies are now [1844] claiming the Barony.

fore equall and more indifferent judges. But Mr. Mildmay sayd my Lord had feed his counsell, was readie, and desired the tryall might proceede. Whilst wee were in debate the Clerke of the Peace, consultinge his owne profitt, swore the foreman of the jurie, and soe ended the debate. The tryall proceeded, and no euidence beinge giuen for the Kinge, for William Herris was not readie (as I sayd), the jurie found for the defendant; and Mr. Mildmay then sayd, there was noe colour to charge my Lord with the repaires; but that one Michelson ought* my Lord monie, and would have payd him with this indictment. One Michelson! sayd I, what Michelson? Dr. Michelson, sayd he. Why cannot you giue him his title—doctor? What, is that, sayes he, a feather in his capp? By your leaue, sayd I, the title is great and good; I doe not know but it is as good as collonell, at least an apocriphall collonell: addinge, I wonder in what capacitie you appeare here; you are not concerned in title; you are not a Judge, nor are you of my Lord's counsell; if you come as a sollicitor, it were fitter you were on the floore then on the bench. This is the truth, and the ground of his malice; and he immediately vowed reuenge, as my Lord Fitzwalter told me, whoe came at noone to expostulate the matter with me where we dined. Now, that I may giue some account why I replied soe vpon him, you are to know this Mr. Mildmay was a rebell as soone as a man almost. I haue heard him say, the Earle of Warwick made him take armes soe soone as he came of age. But that is not all; he was bred a Puritan in blood and education too. His mother was sister of John Gourdon,† one of the King's Judges in the High Court of Justice, as they called [it], then which was neuer acted a more wicked thinge in judging to death their lawfull Kinge, a virtuous, pious

The dialogue in court betweene Mildmay and myselfe.

That storie prosecuted.

Mildmay's extraction and education.

* Ought for owed.

† According to Bishop Kennett this was not true, John Gurdon never having been present at the High Court of Justice (*English Chronicle*, *p.* 151); and throughout these details indeed much allowance must be made for Sir John Bramston's inveterate dislike to the Mildmay family, and his strong party prejudices.

man. He was bred vnder Holbech,* scholemaster of Felstead, whoe scarce bred any man that was loyall to his prince. From his mother's woombe and his master's tuition he suckt in such principles of disloyaltie and rebellion, and he proued soe good a proficient, that he became a collonel of horse, and was made Gouernor of Cambridge Castle; whither the Dr. Michelson was brought a prisoner, and very hardly vsed by him; the remembrance whereof was reuiued in me by his slightinge the poore man, and netled me soe that I could not brooke his insultinge ouer the poore doctor in the face of the countrie. Nor was there any truth in what he alledged; for neither did the doctor preferr or prosecute the inditement, for it was by order of the Quarter Sessions; nor did the doctor owe any thinge to the Lord Fitzwalter, but was readie, and offerd, to come to an account with his Lordship when he pleased. The gentlemen on the bench were offended at his vseinge the doctor soe scornefully, and told me I had done very well. The doctor was better knowne to me then to the rest of the justices, wherefore I was more forward then others, that knew not the storie of the vsage the poore man had met with for his loyaltie and conformitie to the Church discepline; his beinge sequestred, imprisoned, banished, for preaching vp obedience. He was one day at the graue buryinge a corps, with the Booke of Common Prayer in his hand; the rable threw him into the graue, and had buried him and the booke, doubtles (for they begann to throw earth on him), had not some of the wiser townsmen rescued him. But the Committee, Mildmay, and his associates, sequestred him, and cast him into prison, and ruined him, soe that he liued vpon the charitie of good and loyall men; after he had sold that litle estate he had in land, and fled into Holland; but his monie wasting there, he came againe into England, and tooke a litle house at Writle, where he and his wife liued, and was

The reasons why I concerned myselfe for the doctor.

* Martin Holbeach, who was entrusted with the care of three of the sons of Oliver Cromwell. Barrow and Wallace were also educated at Felstead School.

relieued by the kindnes of my father, myselfe, and other charitable men, amongst which was Dr. Warner, Bishop of Rochester. At the returne of his Majestie he was restored to his liuinge indeede; but he had sold his land, and spent the monie in Holland and elsewhere for his necessarie food and rayment, and was very poore now and old, and soe much the more lyable to contempt, and the fitter obiect for my care and concernement for him. He was a very learned man, and an excellent preacher (bateinge but his Scotch tone and pronuntiation of our language); but he was now old and poore, as I haue sayd, and soe become lyable to Mildmayes scorne, but yet the fitter for the protection of the Court and my-selfe, and those that were well affected to the Church and the Gouernment. At dinner that day, the Lord Fitzwalter, haueinge treated his jurie liberally, came to the justices, not then risen from the table, and after a litle tyme whispered to me, and desired to speake with me. I retired into the next rome with him. Some of the gentlemen, apprehendinge that he came with a challenge from his brother (for Mildmay had maried his sister), or it may be to quarrell in his owne behalfe, offerd me their seruice, Sir William Ayloff * most perticularly and earnestly. But my Lord came not from his brother, but he expostulated with me why I would be against him, and whether I would be a freind or an enemie, and much to this purpose, which when the gentlemen in the next rome (mistrustinge our stay togeather soe longe might be about a quarrell) came to us, I told Sir William and others there was noe thinge like quarrell; yet Sir William Ayloff there againe offerd me his seruice. I againe assured him there was noe thing of that nature had passed, and gaue him my hartie thancks. My Lord told me in our discourse he came to talk with me, but the collonell would take his satisfaction another way. But when the companie came in to vs wee went all away togeather to the Bench. Now the reuenge he tooke was thus:

The Lord Fitzwalter expostulates with me about the matter.

Sir William Ayloff's kindnes.

* Of Braxted Magna, created a Baronet in 1612.

How Mildmay tooke his reuenge.

he preuailed with his brother, the Lord Fitzwalter, to carrie him to the Earle of Oxford, at that tyme sole Leiutenant of Essex, and a Priuie Counsellor, at which tyme I was a Deputie Leiutenant and Justice of the Peace. Mildmay tooke occasion to discourse of the gentlemen of the countrie, of the Papists and Popish religion, and told his Lordship some of the justices and Deputy Leiutenants were not sound Protestants. His Lordship askt which. He replyed, Sir John Bramston; addinge what more I know not. It happened not longe before that there passed some words betweene the said Earle and my-selfe, at which he tooke displeasure, and compleined to his Majestie at Oxford. The matter truly was this:—My brother beinge Steward of Rumford, and a Justice of Peace in the countie, compleint was made to him and Mr. Francis Mildmay, a justice likewise in the countie and libertie of Havering too, that a rape had binn committed on a young woeman by one of the troopers quartered in the towne (as was the whole troope of the Earle of Oxford), and this partie compleined of one of them. The justices, haueinge taken the information, sent for the trooper. The officers came and expostulated the matter with the justices, insistinge vpon their beinge exempt from the jurisdiction of the justices, and punishable only by martiall law. My brother indeauored to satisfie them; but they insisted on their right, as they called it, and refused to deliuer the man; wherevpon my brother sent for the constable, commanded him to execute the warrant, and ordered him to require the officers to assist him in the execution of the warrant. Soone after, there beinge a meetinge of the officers of the Militia at Chelmesford, and my brother beinge then with me at Screenes, he went with me to Chelmsford, expectinge my Lord would be there, as he was, and soone fell into discourse of the matter, with some wonder the justices would medle with the militarie men, sayinge they were exempt from tryall by the common law, else would it be hard for them to be subiect both wayes, to a Counsell of Warr, and the other power too; and fell vpon the Serieant for daringe

The ground of displeasure which the Earle of Oxford tooke at me.

to send his warrant for a trooper of his, at least without his priuitie. My brother told his Lordship he was by his oath bound to execute the law, and doe equall justice to all; and that the troopers were not exempt, nor was the matter tryable by a court martiall. Noe! sayd his Lordship, they are the principall defence and safeguard of the King's person. Addinge, Where were your gownes when the King's head was cutt off? Wherevpon I replyed, In troth, my Lord, the gownes were, I thinck, where the swords were, fast a' sleepe. His Lordship replyed, Wee fought for him vntill we were beaten. Beaten, my Lord! say I, cann that be sayd for your honor? Of this his Lordship made compleint to the Kinge, at Oxford; but the Earle of Clarendon, then Lord Chancellor, interposed, and sayd, The Justices were in the right as to the jurisdiction; and withall told him some thinge of me and my brother he knew not well before, and gaue another character of vs then he expected. This I guess; for the next time I met his Lordship he told me he vnderstood me better then he had done; and, whateuer had passed, noe more should be thought of it by him. But Mildmay knew not that, but had heard of what passed at Chelmsford, and therefore applyed himselfe in the manner I haue sayd to his Lordship. Not longe after my brother, Moundeford Bramston, comeing to the Earl of Oxford, on some concernes of his owne, my Lord beinge in his bed, sayd, I pre'the tell me is your brother a Papist? Noe more then you are, my Lord, or any man in England, replys my brother. Nay, sayes he, I doe not beleiue it, but Collonel Mildmay sayes he is. I told the Kinge, and he beleiues it not neither, and therefore say noething of it to your brother. I pray, my Lord, giue me leaue to tell him. Noe, doe not, for neither the Kinge nor I beleiue one word of it; and swore a hartie oath. But he replied, I must needes tell it him; it is concernement to him. Shortly after he came to me to my house, and told me what had passed. I was vext, and went purposely to London next day to my

His Lordship compleined to the Kinge of me, but was satisfied.

How I came to heare of the information Mild may had giuen against me.

How the Earle vsed me.

Lord, and found him in bed, and told him what my brother related to me, and protestinge to him I had neuer done any thinge in my life tendinge that way; that I had neuer binn at mass; nor in any church, chappell, or other place when mass was sayinge, nor had euer biun tempted by any man to change my relligion; nor was I acquainted with any man that I could say was in orders, or that I had cause to suspect was a priest, vnles only one whome I had seene often at Mr. Petre's, my neighbour's, and had heard him play his part in musick, and who had often played to vs when wee were dansinge; and therefore I intreated his Lordship to rise, and carry me to the Kinge, that I might vindicate my-selfe to his Majestie. He told me he wondered my brother would say any thinge to me of it; that neither the Kinge nor he did beleiue any word of it, and intreated me not to truble my-selfe. I replied, He that informed his Lordship intended it should be beleiued, and therefore I againe prest him to rise, and goe with me, for I could not rest vntill I had vindicated my-selfe. His Lordship persistinge still that I need not truble my-selfe, and keepinge him in bed, and findinge that I could not moue him, I went to Whitehall, purposeinge to gett the first man I met with to introduce me vnto the Kinge. I was acquainted with enough there of power and interest to doe it, (but I had rather my Lord Oxford, whoe knew what Mildmay had sayd, should doe it then any bodie.) At Whitehall I met with Mr. Mathew Wren,* (at that tyme Secretarie to the Duke of Yorke, formerly he had binn soe to the Earl of Clarendon,) vnto whome I told my storie, and askt him if the Duke would doe it; he sayd, Noe doubt but he will, but were I as you I would goe my-selfe to him without more adoe. I answered I had neuer spoke to the Kinge in all my life, and if I should put my-selfe before his Majestie, how should I know the Kinge would speake with me, or how shall the Kinge know I would

How I applyed my-selfe to the Kinge to be vindicated.

* Eldest son of the Bishop of Ely of both his names, previously burgess for St. Michael's in 1661. He died in 1672.

speake with him? He replyed, Then goe vp to the Duke; and soe we went togeather to his Royal Highnes. When I begann my storie, he sayd, You are a daingerous man, as you are represented, but the Kinge beleiues noethinge of that tale; yet come alonge with me, I will carrie you to him. His Majestie was at that tyme in St. James's Parke; the Duke walkinge very fast towards the parke I could not keepe with him, but at the returne of his Majestie, in the Mall, I stood in his eye, and he called me to him; and soe soone as I began the storie his Majestie sayd, Mildmay is a great rogue, and I would haue you prosecute him; and soe on he went to counsell. I followed, beinge very vnsatisfied, for when or how that prosecution should bee I knew not. Waitinge at the Counsell Chamber dore I met Sir George Cartret,* to whome I related all that had passed. He sayd, Gett my Lord of Oxford hither, and the busines shall be put into a way. Immediately I went back to my Lord, found him still in bed, nor could I raise him for my life, he still persistinge in his old tone, that I neede not truble my-selfe. I was extremely vext at this vsage from my Lord, whoe I thought had all the reason in the world to assist me, and consideringe with my-selfe what course to take, I resolued to petition the Kinge; soe home I went and drew a petition, and my brothers being both out of towne, the Sergeant in the circuit, and the other in his visitation, I shewed my petition to Serieant Goodfellow, and another freind; they approueinge thereof, and of the course I had resolued on, soe soone as I could I carried it to my Lord of Oxford, to see whether what I had inserted in my petition were agreable to what Mildmay had sayd to him. His Lordship was not at home, soe I left my petition and message with Mr. Quinn, his secretarie, desiring my Lord to rectifie any mistake he found in it. The next

* Sir George Carteret, Comptroller of the Navy and Governor of Jersey under Charles I., after the Restoration was made Treasurer of the Navy, and Vice-Chamberlain to the King. He represented Portsmouth in Parliament, and died in 1679, aged 80.

morninge I came, and receaued from my Lord's hand my petition, and from his mouth these words :—I haue made noe alteration ; you haue hit the matter very right. His secretarie was present, and heard the words his Lord spake to me. Soe soone as I could I went to Whitehall, and Mr. Seamour, one of the groomes of the bedchamber then in waytinge, placed me conueniently to present my petition, which I did on my knees. His Majestie tooke it, and carried it into his closet with him, and when he came forth againe, calling me and the Lord Arlington, then Secretarie of State, deliuered the petition to his Lordship, bidinge him bringe it to the next councill, where it was read, and an order made for summoninge Mildmay to answer [on] a day appointed. My Lord of Oxford, soe soone as he found me resolued to compleine vnto the Kinge, sends an express messinger to Mildmay, told him my intention, and the course I meant to take for cleeringe my-selfe. Mildmay sayd he had witness of what he had informed, but he was a lawyer at that tyme in the circuite, and if he should be then called before the Kinge it would be much to his disaduantage; which my Lord when I came to him for my petition tellinge me, I sayd he should not be surprised, he should haue what tyme he desired for produceinge his witness, for I knew it was impossible for any honest man to swear one sillable of what was informed. Soe I stayed awile before I presented the petition, vntill I thought the circuits were ended, and then I presented as I haue sayd, and a day beinge appointed for him to answer, he appeared before the Kinge in Councill, and because my compleint he sayd was in writinge, he desired his answer might be soe too. The petition and his answer follow.

The Earl of Oxford giues notice by an express messinger to Mildmay the course I ment to take.

His false, sham excuse to gaine tyme.

My petition to the Kinge.

To the King's most excellent Majestie. The humble petition of Sir John Bramston, Knight of the Bath. In all humilitie sheweth, that your petitioner hath euer binn a true and loyal subiect, and hath constantly professed and adheared to the doctrine and discipline of the church of England, and relli-

gion established by law, and hath serued your Majestie euer since your happy Restauration faythfully and diligently as a Justice of Peace and Deputie Lieutenant in the countie of Essex, and in manie other trusts and imployments; and yet one Henry Mildmay, of Graces, in Litle Badow, in the said countie, to bringe your petitioner into disgrace with your Majestie and your good subiects, and alsoe into dainger of the lawes, gaue information against your petitioner vnto the right honorable the Earle of Oxford, Lieutenant of Essex, and one of your Majesties Priuie Councill, that your petitioner is a Papist, and that your petitioner and 25 more tooke an oath of secrecie, and after consulted of wayes to aduance Poperie, and then tooke the Sacrament for the performance thereof, and to subuert the Gouernement. And manie other such like things (whereof the said Earle hath informed, and cann informe, your Majestie more fully,) were alledged by the said Mr. Mildmay, and layd to the charge of your petitioner. Now, for as much as the sayd matters are false and vntrue, yet by the malitious indeauours of the said Mr. Mildmay your petitioner's life, estate, and reputation are (so farr as in the power of the said Mr. Mildmay may lye) brought into hassard; and the Gouernment alsoe (soe far as the employment of soe meane a person as your petitioner hath share therein) is slandered, your petitioner humbly prayes your Majestie to call the sayd Mr. Mildmay before your Majestie, to the end your Majestie may be satisfied of the truth or falsehood of the information, and punishment inflicted where it shalbe deserued. And your petitioner, as in dutie bound, shall euer pray for your Majesties long life and happie raigne.

To this petition Mildmay gaue the ensueinge answer at the day appointed by the order.

Mildmay's answer to that petition, and how he slides the matter to another.

To the King's most excellent Majestie, and the right honorable the Lords of his Majesties most honorable Priuie Councell. The humble answer of Henry Mildmay, of Graces, in

Litle Badow, in the countie of Essex, esquire. This respondent haueinge receaued an order from this honorable Board of the 3rd of this instant May, whereby, vpon a petition presented to his Majestie by Sir John Bramston, Knight of the Bath, this respondent is required and commanded to make his personall appearance at this Board this day to answer the said petition, to which this respondent yields his most humble obedience; and, lookeinge into the sayd petition, he finds the compleint to bee that this respondent gaue information against the petitioner to the right honorable the Earle of Oxford, Lord Lieutenant of Essex, and one of the Lords of your Majesties most honorable Priuie Councill, that the said petitioner is a Papist, that he and 25 more tooke an oath of secrecie, and after consulted of wayes to aduance Poperie, and then took the Sacrament for performance thereof, and to subuert the Gouernement, and manie other such like things, which the petitioner referrs to the memorie of that noble peere. In the first place, this respondent knows this Board will neuer be a means to furnish the petitioner with euidence at law, whereby he shalbe let in to vex this respondent (as is giuen out in speeches he intends) with actions, especially in a matter the doeinge whereof was soe highly incumbent vpon him, and the neglect whereof would haue binn soe greatly penall, and that what has binn sayd to the sayd Earle will not be taken as a matter of crime, when it is commanded as a dutie. And this respondent denies that either he the respondent informed the sayd Earle that the petitioner was a Papist, or spake of any other person then such as are hereafter expressed, nor against the said persons otherwise then is hereafter expressed, or to that effect; and this respondent did then likewise informe the sayd Earle that what information this respondent gaue the said Earle was not out of his this respondent's owne knowledge, but from the information of another, and, as he was bound to doe, reuealed it as soone as he conueniently could, and after he had obteined any punctuall

information thereof. Which information was to this effect; that is, That this respondent was lately informed that about 8 or 9 yeares since there was a visitation held by commissioners from the Pope at Sir John Bramston's house, called Screenes, in Essex, where were present the said Sir John Bramston, and Moundeford Bramston, brother of the said Sir John Bramston, and others; at which visitation the sayd Moundeford Bramston was chosen to be treasurer of the Sacred Colledge, and to distribute the monie, and to receaue the succeeds* of the church after the mass of the Holie Ghost, and receaued the Sacrament and tooke the oath of obedience to the Pope, in the hands of Francis, titularie Archbishop of Canterburie. And farther, that the said Sir John Bramston receaued a pension yearely from the Roman congregation, and receaued a dispensation from the Pope, or words to this effect, as he was informed; all which he did relate to the said Earle, not out of any perticular vnkindness to the petitioner, neither had he any designe to scandalise his person, but accordinge to his dutie and loyaltie to your Majestie, in obseruation of the laws so strictly commanding him, and the fayth he owes to the Protestant relligion, the said Earle being both a member of this honorable Board, and intrusted by your Majestie as Lord Lieutenant of the countie where the respondent liues; therefore prayes to be hence dismissed.

Note, the tryall on the indictment was at the Quarter Sessions after Michaelmas 1671, when that passed as I haue related; the information by Mildmay to the Earl of Oxford in February or March followinge; the visitation supposed 8 or 9 yeares before; the petition to the King in May 1672; the hearinge before the King the xth of the same May; the certificate of Massedo the 8th of the same, and but two dayes before the hearinge. Note alsoe, that Mildmay's answer was wholely different to the matter in the petition, and soe new

Note the distance of tyme.

* Query proceeds?

to me, that, the Earl of Oxford being absent (he was gone to the Fleet, and not returned), I was forced to desire Mr. Quinn, his Lordship's secretarie, to be asked whether my Lord had not seene the petition, and what his Lordship sayd when he returned it to me. But his Majestie, holdinge the petition in his hand, sayd it was the substance of what my Lord of Oxford told him. Mildmay insisting on his answer, the King bid him produce his witnes. After some stay, and the witnes not appearinge, the King askt him what his witnes's name was, that he might be called, and way made for him. Mildmay would not name him, but sayd he was comeinge. After two or three tymes beinge prest by the Kinge to call him by name, at length he sayd he was come, whoe appearinge, and beinge demanded his name, he sayd, Ferdinando de Massedo; being askt of what countrie, he sayd, Portuigall. Then, says the King, We must haue an Old Testament for you. Noe, sayd he, I am a Christian and a Protestant, tho' I was a Papist and a priest. The Kinge discoursed with him in French; and, questionninge him concerninge his life, the Kinge declared that he sayd he had binn in the Indies, sent thither by the Pope, and had from him a dispensation to worship the Diuell, and that he did worship the Diuell (which he owned). After some few questions the Kinge gaue him his oath, and he swore all in the paper produced by Mildmay, to which he had set his hand; which followes verbatim.

The King called for his witnes, and would know his name, that he might be called. At length he came, and sayd his name was Ferdinando de Massedo.

A Portigese.

Had binn in India, a commissioner from the Pope, whoe gaue him a dispensation to worship the Diuell, and he did worship the Diuell.

The certificate read, and he swore it all.

The twentie-second day of May, in the yeare of the Incarnation of our Lord 1663, in the fowerth yeare [of the] pontificate of our Lord Pope Alexander the 7th, in the countie of Essex. Before vs, Missionaries Apostoliques, gathered for the present Visitation, appeared before vs the Commissioners deputed by the Holie Apostolique Church, the which haue assured vs of the truth and reall inquisition which by virtue of an order directed to them from the Congregation of the Propagation of the Faith, dated the 2d day of March, 1663, to make an inquisition of Moun-

deford Bramston, of the sayd countie, of his truth and obedience to the Holy Church, and all his familie; and, findinge noe thinge to the contrarie, they haue made an act of information, which they haue deliuered to vs signed and sealed vnder their hands and seales, which was made accordinge to order. And the said Moundeford Bramston appeared, and was chosen to be Treasurer of the Sacred Colledge, and to distribute the monie and receaue the succeeds of the Church. And, accordinge to the custome, after the Mass of the Holie Ghost, and receaued the Sacrament, the visitation beinge opened before the reuerend archbishops and bishops, archdeacons, abbots, and seuerall others, superiors of the diuers orders now gathered togeather, the said Moundeford Bramston tooke the oath of obedience to his Holines in the hands of Francis Archbishop of Canterburie, which after was put in the possession of the missionaries; and I, Notarie Apostolique, am required by the Vicar Generall of the Holie Church Apostolique in this kingdome of England, the Reuerend Father Francis Archbishop of Canterburie, to make this act, which I haue made, and signed with my publique signe, and registred in the register booke, the year aboue mentioned.

PETER COLUMBANO, Archdeacon.

I alsoe testifie this is the true copie, and turned into English from Latin; and alsoe testifie Sir John Bramston and his brother Francis were present in the same visitation as Roman Catholiques, and this visitation was at Sir John Bramston's house called Skreenes, in Essex, his dwellinge house.

FERDINANDO MASSEDO.

I farther certifie that Sir John Bramston receaued a pention from the Roman Congregation yearely, and receaued a dispensation from the Pope.

FERDINANDO MASSEDO.

This was asserted to be truth in presence of vs,

JOHN CLAYTON, of the Inner Temple.

EDWARD BERRY, Stationer in Gray's Inn.

Mildmay says that certificate was but an abstract out of a larger paper, which was read alsoe.

Massedo's certificate bore date the 8th of May (as is before sayd); which beinge obserued, Mildmay sayd that it was but an abstract out of a larger paper, which being required, he produced, and is the same before recited in forme of an act, which bore date the 22d of May, 1663, which Massedo sayd was translated out of Latin into English; and beinge examined vpon that paper, he swore he was at that tyme at Sir John Bramston's house, and that Sir John, Moundeford, and Francis Bramston were present, and alsoe Francis titular Archbishop of Canterburie, and the rest mentioned in that paper, and swore through all the other clauses in the paper.

The questions put to him.

He was askt manie questions, of the fabrique of my house, how longe he was there, how he went thither, whether he lay there, the tyme when, how longe he had knowne me, or my brothers, before, what acquaintance he had with me since.

His answers to the questions.

He sayd he did neuer see Sir John or either of his brothers since that tyme nor before, only now at the meetinge them before his Majestie; he sayd he was at Sir John Bramston's house two dayes; he lay not there, but he lay two miles off at an inn; that he came in a coach; that the house was built partly of brick, partly of stone. The impudence of this fellow amased me strangely, and all present that knew me and my house. The Lord Keeper Bridgman askt me what my house was built off. I told him tymber; that, besides the vnderpinninge, chimnies, and walls about the garden, and walls, there was not any brick about my house, and not any stone but the kitchins and hall floors. I sayd there was noe inn within fiue miles of my house noe way. Onger, the usuall way from London is six miles; Chelmsford is fiue miles, and soe farr out of the way to or from London; Ingerstone is fiue miles, and a cross way through woods. That I neuer did see that witnes to my remembrance in my life vntill that instant meetinge before the Kinge and Councill, nor euer heard of him, or any of the rest mentioned; that I had noe acquaintance with any priest; that I neuer heard mass in any place, or was euer present in any

He sayd my house was built of brick, partly of stone, when it is solely tymber.

The rest of his answers as false.

place when mass was sayinge. And soe I intended to haue proceeded to purge my-selfe of that scandall, when Sir William Glascock, standing by me, sayd, What neede you? The Kinge takes the matter right, therefore say noe more. Mr. Mildmay acknowledged that he had knowne Massedo about a yeare, and sayd he was a man of good reputation, and a credible witnes. When Massedo appeared, Mr. Edward Turner (sonn of Sir Edward Turner before mentioned) sayd softly to me, This fellow is a rogue; I know him. Sayd I, Pray tell the Kinge what you know of him; I neuer see nor heard of him in my life. He replyed, Noe. I will tell the Kinge what you say. If you doe I will denie it, says he, most vnworthilie and most vnlike a gentleman. Soone after the before mentioned questions and answers, the Kinge askt Mildmay if he had any other witnes. He sayd, Noe. His Majestie then bid vs withdraw. And the councill ordered that the Atturney-general (Sir Hennage Finch) should examine Massedo (in order, as was apprehended, for an information). I was noe sooner out of the councill-chamber but a gentleman, a stranger, came to me and sayd, This Massedo is a very rogue, and if you goe to Dr. Fell, the Deane of Christchurch, he cann giue you a character of him. Another came to my sonn, sayinge, I will helpe your father to find out this rogue, for I know a great deale of his storie. And one Mr. Crispe, at that tyme High Sherrif of Surrie, beinge vpon the Exchange next day, and hearinge the matter discoursed of there, and the name of the witnes, sayd, He knew me not, but he beleiued it was a lye, for Massedo was a very rogue, of his knowledge, as any was in Newgate; and (tho' I were a meere strainger to him) yet gaue himselfe the truble to find me out, and told me the storie which I will relate at full. But let it be obserued the generositie of Mr. Crispe, a strainger, and a fanatick too, (as I heard,) and the vnworthy, vnfreindly cariage of Mr. Turner, my countrieman, towards me, that had binn soe freindly to his father, (as is easie to be seene,) by what I sayd as to his election, which was a truth

Mr. Edward Turner.

Order that Massedo be examined by the Atturney General.

Mr. Crispe.

he could not be ignorant off. I attended Mr. Atturney to know when he would examine Massedo; he appointed the 16th day of that month, being Ascension day, and I had his warrant to bringe Massedo before him that day. It was a great truble to find him, and I could not haue done it but by the helpe of the gentleman (I mentioned before) of the Life Guards, whoe told my sonn he knew where the rogue had a house, wife, and familie. Thither I sent, but was answered he lay not there that night. The house is in Couent Garden, where his wife was; they would not tell where he was, nor owne that they knew where. I thinckinge the rogue might runn away, went to the Secretarie, the Lord Arlington, and obteined his warrant for the apprehending him. In quest of him my sonn and the gentleman of the Guards went, and after very great paines, found him at last in the Marshallsea, a prisoner for debt, a small meane sum. They dispatched a messinger to me instantly, but stayed there themselues. Soone after came Mildmay in to him, and had binn priuately in discourse, and offerd the keeper securitie for his debts; he had giuen securitie formerly for his returne to prison, when he was to be vsed as a witnes; but durst not then pay his debts, least he should haue deceaued him, and absented himselfe; but now he haueinge done his worke, and the debts small, he would haue payd them that he might be out of the way. I made all the hast I could possible to the Marshalsea. I found Mildmay there, talking with my sonn and the other gentleman. I called presently for the keeper, inquired the cause of his imprisonment, and required him not to lett Massedo goe out, tho' his debts should be payd; which the keeper sayd were small, and he knew or beleiued they would soone be discharged; where-vpon I called for the warrant, and sayd I would not take him out of his custodie, but yet I did charge him from the Secretarie that he should detaine him vntill farther order, tho' his debts were discharged in the meane tyme. Mildmay shewed great truble when he see me come in, and shooke, and

Massedo found in prison in the Marshalsea.

Mildmay with him there.

trembled, extreamely fretted, and wondered what I did there. I spake not with Massedo, but went and acquainted the Secretary where I found him, who sayd, You shall haue a warrant to bring him before the Atturney, if Mr. Atturney please. But he, soe soone as I had told him where he was, sent for him, tellinge me it was the vilest conspiracie that euer he had heard against a priuate man. Against the day that Mr Atturney had appointed to examine him, I was furnished with liueinge testimonie, and with authentick euidence, out of the Journals of the Parliament, and out of the Chancery. The tyme he had pitcht vpon was in tearme, when both my brothers were euer in towne, and in the tyme too that the Parliament was sittinge, two circumstances most extreamely conduceinge to the cleeringe the falsitie of his euidence, for as my brothers were alwayes in towne in the tearme, attendinge the concernes of theire imployments, soe was I constantly attendinge the Parliament House, and vsually in one Committee or other, and often in the chaire, and made thence many reports. There appeared before the Atturney Mr. Crispe, and a sister of his, and another kinswoeman, the gentleman of the Guards, Dr. Compton, now the worthy Lord Bishop of London, and seuerall others, and came all to testifie their knowledge. The sight of these amased Massedo, especially Mr. Crispe, and that familie, yet he denied what they sayd, and desired they might be sworne. And here I could tell as manie and as great tricks of a rogue as euer were told of Gusman, but with this difference, these are all truely acted, those faigned by a great witt, for the most part. I refused a volume which Sir Samuel Tuke offered me, meerly because he was a Papist, and to be testified by Preists and Papists. The historie of him since he came into England and conuersed with Protestants, testified before Mr. Atturney, is thus:* He declared himselfe a conuert from the Church of

The Atturney General examins the matter.

The fanaticks, Massedo's freinds, appeare, and amased Massedo.

* This certainly was one of the most daring impostures ever attempted, and it is not to be wondered at that Sir John Bramston should so deeply resent Henry Mildmay's

Rome, was recommended to the Dutches of York, daughter to the Lord Chancellor, (at that tyme a good Protestant,) as an obiect of charitie; her Royall Highnes allowed him a pension of 30*l.* per annum, and recommends him to the Archbishop of Canterburie, Dr. Sheldon, and to the Bishop of Winchester, Dr. Morley; they allow him 10*l.* per annum each. The Bishop of Winchester carried him to Oxford, and placed him in Christ church; recommends him to the care of Dr. Fell, then Deane of Christ church, and to Dr. Lockey, Cannon there; this was the 23rd July, 1664. The Bishop of Winchester adHis behauior in Christ church. uanced thirtie pounds to buy him necessaries. After a month's stay he went away, and was absent 3 weekes; then he returned and stayd, soe as in all he was in the colledge 16 weekes from his admittance. A while after his first comeinge, the Deane goeinge (as vsually) about the house, to see in what order the students were, and seeing a candle in Macedo's lodgeings late, went thither, and found store of botles on the table, and companie at play. He told Macedo that was noe fitt course for students, and chid him; whoe replyed, He thought a man might doe what he pleased in his owne chamber; that for his part he neuer liued any where, nor would, but where he might haue his chamber free to doe what he pleased. The Deane left him at that tyme, with only reproofe to him and his comrades, considering from what persons he came recommended. Not long after Macedo gott drunck, and fell to cuffs with a Frenchman, threw

base conduct, in employing such a villain as Ferdinand de Macedo to traduce his character, and accuse him of having changed his religion. The only reference as yet discovered to Macedo occurs in Kennett's Chronicle, p. 385, where the author is quoting Bishop Morley's account of the zeal in making converts to the Protestant religion displayed by Anne Duchess of York, up to the time of her fathers's banishment, "*as appears by what she did for that counterfeit, pretended convert, Macedo, who proved himself to be an arrant imposter, and profligate wretch.*"

We have here a description of Sir John Bramston's calumniator; nor is it improbable that he was related to the Portuguese jesuit of the same name, mentioned in Chalmers's "Biographical Dictionary."

him downe the staires, and made such a noise that disturbed the whole colledge. Thereupon the Dean and Dr. Lockie writ to the Bishop of Winchester, beseechinge his Lordship to rid the college of him, for if he stayd he would debauch the whole colledge. The bishop sent for him, and told him what was informed. Macedo denied all; the bishop sent for Dr. Lockie, whoe testified to his face the information, and more; soe did others. The bishop and archbishop withdrew theire allowance, but were not willinge to take off the charitie of others, and sayd litle to the Dutches of Yorke, but she heard of it from others, and inquired of the Bishop of Winchester, whoe thought it his dutie then to tell the trueth, wherevpon she tooke away her allowance alsoe. Macedo then getts into acquaintance with the Dissenters, and tells them that, as his conscience would not let him stay longer in the idolatrie of the Church of Rome, noe more could he allow of the superstition of the Church of England and the Common Prayer; and because he spake against Poperie and the Common Prayer, Dr. Fell had thrust him out of the colledge. He rayled against the Bishop of Winchester, and sayd he was a Papist, in all places that he could. He tells in what dainger he was, both of the Popish preists and prelaticall partie, insinuating still more into acquaintance with the Separatists by these discourses; amongst others, with one Mr. Crispe. He had binn longe abroade, and findinge a Portigese come to the Protestant relligion, and spake soe relligiously, thought an angell was sent from Heauen (I vse his owne words); he tells his mother (a good, well meaning woeman, and very charitable) Macedo's storie, and his dainger. She tells her sonn, that to auoide the dainger of beinge in the towne, she would receaue him into her house for a tyme; and thither Mr. Crispe brings him. Some short tyme after he was there, he thancks the good gentlewoeman, and blesses God, for his good and kinde enterteinment; but he sayes I haue a poore wife in great want, whilst he was in plentie; she bids him bringe his wife alsoe,

The charity of the Archbishop and Bishop of Winchester withdrawne.

How he insinuates into the fanaticks.

He is receaued into Mr. Crisp's house.

And his wife.

Hath monie giuen him.

which he did! She came, great with child, and lay in there. Macedo, compleininge of the want of some necessaries for his wife and himselfe, a purse was made, and about *xl.* giuen him; a sum competent, as they iudged, for all occasions. He pretends to goe to London to lay out the monie for these necessaries; but he goeth into the Tangier tauerne,* in Saint Giles, where he met with some companie, and falls to play and drinke. He looses his monie, then quarrells for it againe; they fell togeather by the eares, and about two of the clock in the morninge, the master of the house and the rest threw him out of the dores into the streete. He cryes out murder, some of the neighbourhood rise, (amongst others the gentleman of the Guards, Mr. Powell, who told all this to the Attorney-generall,) came to him, and found him, without his hat, in the streete. He made compleint that he was beaten and abused, and thrust out of the house because he was a Protestant, and was likely to haue binn murthered in the house for that cause. Mr. Powell tooke him for that night into his lodgings. In the morninge Macedo gott a hatt, goes away, and returnes to Mrs. Crispe, lamentinge his misfortune, as the most vnhappie man in the world, tellinge in the house and to Mr. Crispe that, as he was goeing ouer Lecester feilds in the euening, three of the Life Guards met him, knockt him downe, tooke away his monie, his hat and his cane, beate him, and trampled vpon him. They all beleiued him, and, comiseratinge his case, gaue him more monie, makeinge another purse for him amongst their freinds and kindred. Not longe after this, Mr. Powell came to visit Mrs. Crispe, she beinge his kinswoman; there the storie was told how 3 Life Guards men had robbed a poore man, one Mr. Macedo. He presently replyed, "This storie is

Which he looses in the tauerne on a Sunday.

His lye he inuented to moue the farther compassion.

And how that was discouered.

* A celebrated place of resort for thieves and gamesters. Du Val, the highwayman, executed at Tyburn in January 1669, was buried in the church of St. Paul's, Covent Garden, *after lying in state in the Tangier Tavern.*

all false," and that they were abused and deceaued by Macedo; and then related to them the truth (as is aboue told), affirminge he had it from the man of the house, his neighbour, where were yet the hat and cane to be be produced, if for their satisfaction they pleased to goe or send thither; which Mr. Crispe did; and, findinge the matters to be as Mr. Powell had related, Macedo was cashered. Then he getts into the house of one Mr. Carleton, who testified vnder his hand thus:

Mr. Carleton's testimonie.

"Macedo, a Portugall, was recommended to me as an obiect of charitie. The request to me on his behalf was, that, he beinge conuerted from the Roman fayth to be a Protestant, he was in dainger of his life, liueinge in London; and for a shelter I was desired to harbour him, which I did (God knowes in great innocencie), thinckinge noe less but that he might deserue the character giuen of him. But, duringe his abode in my house, his cariage was altogeather offensiue (I meane for the last month of his stay,) as to attempts of vncleanes with my maides, offeringe abuses to my children, and not without suspicion of felonious stealinge my goods at his partinge from my house when I was absent. Yet, after hearinge of his departure, my wife sent to the next justice, Sir Stephen Leonard, for a warrant to search his truncks; but, before it was serued, he haueinge some intimation, opened his truncks, and yet some things were found which made his falsitie appeare. This is but a picadilio of the villainie of Macedo, if there may be credit giuen to J. Carleton.

"Januarie 25, 1670.

"This wilbe testified vpon oath when required."

Mrs. Best's testimonie.

Mrs. Dorothie Best testified, that Macedo pretended his name to be Rowland Crispe; made loue to her, and, findinge her once vpon the roade, preuailed with her to ride behind him to London, whither comeinge, he carried her to a tauerne, and gaue her wine, sayinge he was a bachilor and would marrie her, and would needes carrie her back at night, and she could

not gett him out of her house, but she was forced to sitt vp all night for feare he might be rude, he haueinge attempted to be rude with her in the tauerne.

Dr. Compton, bishop of London.

Mr. Ellis Crispe and Mr. Powell were both before the Atturney-general, and vpon oath affirmed what is related to be done in Mrs. Crisp's house, and the matter pretended in Leicester feilds. For the matter in Christ Church, Dr. Fell, Mr. Hammon, and the Bishop of Rochester, Dr. Dolbin, were readie to swere, if called; and the bishop lent me letters vnder their hands to produce, which I did before the Atturney. The honorable and reuerend Dr. Compton, now Bishop of London, was present before the Atturney, and auerred alsoe then before Macedo the truth of that matter. Macedo accused Mr. Powell (whoe discouered to Mr. Crispe his villanie) for beinge a Papist, and was like to haue turned him out of his employment. He accused Sir Philip Howard for a Papist, and would haue turned him alsoe out of his imployment. I am loth to pester my paper with any more stories, or I would [relate] this and another of the Lord Ankram. I haue both the stories at large now in writinge by me, testified vnder their hands; but beinge thus prepared to sett him out, and his best freinds appearinge and swearinge to his face the matters I alledged, especially Mr. Crispe and Mrs. Mary Carleton, I beleiue wrought vpon him soe, and fearinge the report of the Atturney-generall, that he sent to his Majestie the next day, that, if his Majestie would pardon him, he would declare the whole truth. The Kinge therevpon promised him his pardon (as I afterwards vnderstood). I alsoe before the Atturney produced the Clerke of the Parliament with his journal, the Register of Chancerie with his registrie, and Richard Tuke, seruant to my brother the Serieant, and who had liued with him manie yeares before the King's returne, and was at that tyme his clerke. It appeared by the journalls, that the 22d of May, 1663 (the day he sayd the visitation and the companie was at

my house) that I was named of a committee, the day before of another, and the day after alsoe of another. It appeared by the register, that my brother Moundeford was in court that day, for seuerall causes were referred to him; and Tuke testified that he was certain that his master was in towne at that tyme, for in all the tyme of his seruice he neuer knew his master lye one night out of towne in tearme time. He went to Rumford in tearme tyme to keepe court, but he returned constantly at night. When Macedo found how his testimonie was refuted, he sayd the act was dated acordinge to the Roman account, and the witnesses and the euidence went acordinge to the English account. Wherevpon the Atturney caused the journall and register to be searched for the 12th of May, 1663, the Roman account differinge x dayes. It fell out that I made a report from a committee that day, and my brother tooke seuerall affidauits in the office that day; all which, and the appearinge of Mr. Crispe,* Mr. Carleton, and the rest of his freinds, made him flye to the Kinge for pardon. His Majestie, not knowinge what had binn made out in proofe before the Atturnie-general, consented to his pardon, as is before sayd. His Majestie sent for him and Mildmay to come before the councill. They appeared there. I had noe notice hereof, nor was present in the Councill Chamber; but I was in the yard that day, with very many others (beinge told a messinger had binn at my lodgeings to inquire where Mildmay lay,) to heare what the matter was. Before the Kinge in councill, and before Mildmay's face, Macedo fell on his knees, begging the King's pardon, sayinge it was all false, and a contriuance; that he neuer knew me or my brothers, nor euer see vs in his life vntill the day he was before the Kinge, and that it was the contriuance of Mr. Mildmay. Mildmay was very much abashed, and sayd, Sire, what he sayes now is without oath, but what he sayd before was vpon his oath. If that

* Ellis Crispe, Sheriff for Surrey 1672.

be all, sayd the Kinge, he shalbe sworne now. Soe the oath was giuen to him, and he againe affirmed vpon his oath what he had sayd before. His Majestie required them both to putt in writing what they had to say; wherevpon Macedo made the narrative ensueinge, which, tho' longe, I thinck fitt to insert; and is thus, as it was translated by Sir Robert Southwell, Clerke of the Councill, out of Portigues language, in which it was written by Macedo, and deliuered to the Kinge.

Macedo's large confession, deliuered to the Kinge writen in the Portuigale language, but translated into English by Sir Robert Southwell, one of the Clerks of the Councill, by order of the King's Majestie.

"Sire,—With all due respect to the sacred person of your Majestie, I obey those royall commands you were pleased to lay vpon me in councill, and that without any fraud or retention, and not consideringe any other interest then that of my conscience and the seruice of your royall person, as I would doe before the tribunal of God. Therefore I shall most sincerely declare that which passed betwixt me and Mr. Mildmay touchinge the familie of the Bramstons, throwinge my-selfe vpon your Majesties benignitie and royall pardon.

"Your Majestie may please to know that I came casually to this kingdome in the year 1662, and here I haue continued euer since, except two yeares that I was in France, first in the end of 1663, and then in 1665; and, returninge in the same yeare, I haue continued vntill now sufferinge great miserie, persecuted by fortune, and forsaken of all. The occasion at last presented that Sir Richard Barker sent me and my wife into the countrie, to the house of one Carleton, where I begann to conuerse with all sorts of people and sects, amongst whome, being obliged out of necessitie, I entred with them into their wicked principles, and not to disoblige their professions, I discoursed with them in a pretended aduancement of Poperie in this kingdome; and I doe not doubt but that to oblige them to succour me I haue sayd much more to them then I knew. At last I came back to London, and one gaue me the knowledge of another; and thus I came acquainted with manie, amongst which was *Mr. Mildmay*, whome I met about 16 *months agoe*. At first he neuer dis-

coursed with me in this affair; but, meetinge him about *two months* since, he asked me if I had binn in Essex. I told him that I had passed there, but had no acquaintance; but he tellinge me that he did suspect one *Sir John Bramston* and two of his brothers to be *Papists,* and that I might informe myselfe therein, which yet I neuer did. *He* afterwards at all tymes when he met me discoursed still of this *familie,* addinge that the *whole kingdome* was filled *with Papists;* and, importuninge me with these things, he sayd he would preuaile with all the ministers and other persons of qualitie to assistance, and make me vp a pension. But I besought him not to ingage me in matters that concerned his Majesty or the Gouernment, for that I was a strainger, and persecuted; which he assured me that he would not doe. But in fine *he obliged me to search out records* in the tearmes that are vsed in the Roman Church, which perswaded me to put togeather the names of the *plentiues.** And this beinge done, some dayes after the last tearme, he came a while after to towne, and, cominge to find me at my house, desired that I would the followinge day come to his chamber at 8 in the morninge; which accordingly I did, and then *he persecuted me to transcribe a certificate,* which was *writ by another* hand, into my owne, which after manie perswasions I did; and soe he made me certifie with my owne hand, *promptinge* me *to what I should write*; and after many returnes he perswaded me that this was the interest of relligion. The Saturday before he brought me to your Majesties presence, he told me that I should *putt on better cloathes* then what I had on; but, tellinge him that I had not wherewithall to buy others, he told me that I should gett them, and not truble *my-selfe* for *the price,* and that it was *necessarie I should be clothed* by the next *morninge* at his comeinge, which acordingly made me take vp a suite on credit. The Wednesday followinge he came to my house at noone, bringinge with him three persons, whose names I know

Query if not Plantiues (Sir Robert Southwell).

* Plaintiffs.

not, and, takeinge me a'side into my closett, he perswaded me to *transcribe that paper*, which is here inclosed, with my owne hand, which after some dispute he made me doe in the presence of those he brought with him, promisinge to secure me from all things that should fall out touchinge that writinge; *and that this should be the meanes of my liueinge like a gentleman* for all the dayes of my life. This beinge done, he and his companie departed, desiringe me that by eight at night I would be at his house; but beinge arested the same day, I was the next carried to prison, where the day followinge Mr. Mildmay came with two of his freinds, and tooke me out, carryinge me to a tauerne, where, after breakfast, he left me, appointinge those of my guard to let vs meete at two of the clock at the Temple. [This] was alsoe done, without my knowinge all this while any thinge of his intention. From the Temple they carried me to the court, where I remained vntill they entred into the councill, and that *one of his seruants shewed me two persons*, biddinge me obserue those two men. Presently, when I was called to the councill, he told me that *I was to beare witnes against those two persons*, which he named, and that I should not feare any thinge, for that he would deliuer me from all dainger, and *that I ought to sweare that all things conteined in that paper were true*, and how that others would second me; all which I confess to your Majestie I did without any consideration; and presently, when I went out of the councill, he conueyed me againe to prison, protestinge to me that I neede not truble my-selfe touchinge my debts, for that he would take care they should be payd, and that I should feare nothing, for that *I had gained many freinds that day*, and that *I should stand stifly* to what I had affirmed. Trulie, Sir, I haue considered that the best freinds I could make are a good freind, and your Majestie, especially consideringe that all the malice of phanaticks, and this affaire, caused reflection vpon the State and Gouernment, and therefore I determined to aske pardon of your Majestie, which you haue

binn pleased gratiously to grant me, on condition of my confessinge the whole truth. And that your Majestie may consider that the phanaticks of your kingdomes are worse then *Mariana;** that when they assemble it is not to preach the Gospell, but to censure Kings Gouernements, and perticular men; and beinge conuinced of this truth, I acknowledge *to your Majestie* that what is *conteined* in the *certificate* that I produced against the familie of the Bramstons was altogeather inuented and came about solely at the instigation of Mr. Mildmay, and some other persons, whoe, without tellinge me their names, came from tyme to tyme vnto me for about tenn or twelue dayes before I appered in your Majesties presence, still tellinge me that Mr. Mildmay was a worthy person, and that I might relie vpon him, and other things of this nature, tendinge to perswade me to putt my trust in him. After I had declared my-selfe to your Majestie, two persons, whome I know not, more then by theire clothes appearinge to be ministers, and by theire discourse phanaticks, they came to perswade me that, notwithstandinge I had certified to the contrarie, yet I might alledge that I had binn induced thereto before, which I reiected, and sent them goeinge as they deserued, to carrie the newes to their fraternitie, tellinge them that the persons of Kings represented the Diuine Majestie, and that I could not, but with risque of conscience, and offence to the royall person of my Kinge, mainteine the falsities, seditions, and malice, of Mildmay. This is the truth of the case; therefore may your Majestie please to consider on my part the frailety and miserie of one burthened with wife and children, and abandoned by euery bodie, which has made me commit this crime against my conscience, the only source of all beinge my necessities, which makes the just man to fall. This was the source which perswaded Dauid to sinn, when, contrarie to the command of God, he entred into the temple, and eate

* I suppose "Maranatha" observes Sir Robert Southwell.

the cakes of shew bred, which ought only to haue binn eaten by the preists. But if at last it shall happen that these stratagems may tend to the securitie of your Majestie, there is nether wife, nor children, nor hunger, shall make me capable of committinge crimes against my Kinge and Lord, of whom I most humbly begg pardon and protection, out of his clemencie, promisinge your Majestie, that howeuer I know the temper of some of your Majesties subiects, yet I will neuer ingage with them in such like practises for the future.

"Your Majesties loyall vassall,

"FERNANDO DE MACEDO."

The reason why I write him formerly Massedo, and other tymes Macedo.

You see how he writes himselfe here; but to his former papers, if they be truely copied, he writt his name, as before, with a duble s, Massedo, which is the cause I alsoe writ him soe.

I was not present before the councill, but I was below, partly haueing heard that a messinger had inquired for Mr. Mildmay's lodgeings, but principally to speake with the Secretarie, or the Atturnie-general, to know when he would certifie, and what was farther to be done; and being in the yard I heard that Macedo had made a large discouerie of a conspiracie and contriuance by Mr. Mildmay, against me and my brothers, and presently came down Mildmay into the yard, from the councill, but seeing me there, turned into the narrow entrie, and went that way to the water side. Macedo haueinge deliuered in his paper, Mr. Mildmay, by way of replication, put in this ensueinge paper, intituled, "The farther Answer of Henry Mildmay, esquire. This respondent haueinge alreadie put in his answer to the petition of Sir John Bramston, wherein he did plainly, fully, and truely set forth what he had informed the right honourable the Earle of Oxford, which information was made good publiquely before his Majestie and the right honourable the Priuie Councill, by the oath of him who had told this respondent thereof; but whether the fact be true or false this respondent is not the judge, the law haueinge directed other

Mildmay's replication.

meanes for the discouerie thereof. And this respondent haueinge done his dutie required by law, this respondent therefore cann giue noe farther answer as to it, therefore humbly prayes to be hence dismissed. "HENRY MILDMAY."

I was aduised to replie vpon Mr. Mildmayes answer, and Macedo's testimonie, which I did thus:

My replication.

"To the King's most excellent Majestie, and to the Right honorable the Lords of his Majesties most honorable Priuie Councill. The humble replye of Sir John Bramston to the testimonie of Ferdinand de Massedo. May it please your most excellent Majestie. It haueinge binn suggested by the sayd Mr. Mildmay's papers, and affirmed by the said Massedo, vpon his oath, that a visitation was held by Commissioners from the Pope 22nd day of May, 1663, at the house of the said Sir John Bramston, called Screenes, in Essex, and that the said Sir John Bramston was present at the visitation as a Roman Catholique, and that he receaued a pension from the Roman congregation yearely, and receaued a dispensation from the Pope, The sayd Sir John Bramston doeth humbly replie therevnto, that the sayd Mr. Mildmay (if the said Massedo did informe him all or any of the said particulars, &c.) had not sufficient ground or cause to relate the same to the right honourable the Earle of Oxford, but that the sayd relation was officiously and malitiously done by him to the preiudice of your Majesties Gouernment, and to discredit this repliant with the noble peere. That there was noe visitation by commissioners from the Pope at his house, nor was this replyant, Sir Mountdeford Bramston, or Francis Bramston, replyant, euer present at Mass at any tyme or any place. That he neuer receaued pention nor had dispensation from the Pope or Roman Congregation, nor did he euer know or see, to his knowledge, the sayd Massedo vntill he appeared before your Majestie. That the falsities haueing binn publiquely asserted by Massedo, and vrged by Mr. Mildmay, before your Majestie and this honorable

Board, in the hearinge of very manie persons, may haue gotten some beleife at least in those whoe know not Massedo nor Mildmay, whereby this repliant may suffer infinitely in his reputation, and your Majesties seruice not a litle. Therefore he is readie to disproue the seuerall perticulars, and that they are false, groundles, and malitious, by vnquestionable euidence, which he humbly beseecheth your Majestie to admit him vnto, and to appoint a day for this repliant to produce his euidence, and that Mr. Mildmay and Massedo may be comanded to attend.

"JOHN BRAMSTON."

The Kinge in councill made this ensueinge order.

The order of Councell.

"At the Court at Whitehall, June the 12th, 1672: present—

The King's Most Excellent Majesty.

His Highnes Prince Rupert.	Earle of Carbry.
Duke of Buckingham.	Viscount Hallifax.
Duke of Ormond.	Bishop of London.
Marques Worcester.	Lord Newport.
Earle of Bridgewater.	Lord Clifford.
Earle of Essex.	Mr. Vice-Chamberlaine.
Earle of Anglesey.	Mr. Chancellor of the Dutchie.
Earle of Craven.	Sir John Duncombe.

Master of the Ordnance.

Vpon reading this day before his Majesty in councell a large confession of Ferdinando de Macedo touchinge the busines betweene Sir John Bramston, Knight of the Bath, and Henry Mildmay, esquire, lately heard at this board, the said Macedo sets forth that he arrived in this kingdome in the yeare 1662; that, fallinge into great miserie and misfortunes, he closed with the sectaries, and for his support ioyned in theire wicked principles and a pretended aduancement of Poperie in this kingdome; that his conuerse amonge these people lead him, about 16 months agoe, to the acquaintance of Mr. Mildmay, by whom he was instigated with promises of reward, and with perswasion that it was for the interest of religion, to fix on Sir John Bram-

ston and his two brothers some signal mark of theire belonging to the Romish Church; that he did acordingly contriue one paper himselfe to this effect, and did transcribe another which was brought him by Mr. Mildmay, and prest vpon him with assurance of indempnitie, and the promise of liueinge like a gentleman all the dayes of his life. That he, the said Macedo, beinge arested and carried to prison for debt, Mr. Mildmay and others came to him and gott him forth, and appointed him to attend at the councill, to sweare and stand to all that was conteined in the papers against two persons then named by Mr. Mildmay, and whome his seruant had iust shewed him before. All which things beinge accordingly affirmed by him before his Majestie in councill, Mr. Mildmay conueyed him back to prison, applauded his behaviour, aduised him to stand stifly to his words, and that he would pay his debts. That beinge now afflicted in his conscience for all these falsities, and the reflection they make on his Majesty, and consideringe all the daingerous contriuances which pass at meetings of phanaticks against the State and Gouernment, he humbly implores his Majesties mercie towards him, acknowledginge plainly that what was conteined in the certificats produced by him against the familie of the Bramstons was altogeather inuented and came about at the sole instigation of Mr. Mildmay and his freinds, who, workeinge on his necessities and vnfortunate condicion, has made him commit these crimes against his conscience. There was alsoe read another paper, signed by Jane the wife of the said Macedo, conteininge seuerall perticulars in proofe of what is confessed as aforesayd, and makeinge this whole affaire the contriuance of the sayd Mr. Mildmay. But a paper signed by Mr. Mildmay beinge alsoe read, he sets forth that what information he had giuen touchinge Sir John Bramston was made good publiquely before his Majestie and councell by the oath of the informer; but whether the fact were true or false he is not the judge, but the law, which hath directed other meanes for the discouerie

thereof; and that he, haueinge done the dutie required from him by law, prayes to be dismissed. Vpon consideration of all which, and what had formerly passed at the board on the tenth and seuenth of May last relating to this matter, his Majestie was pleased to declare his very good opinion of Sir John Bramston and of his two brothers, and that he regarded the proceedings of Mr. Mildmay as a malitious contriuance against them, who appeared to him altogeather innocent of the charge. That therefore the said Mr. Mildmay should be turned out of all commissions whatsoever, and hereof notice should be taken and mention made in the News Booke. And as well the said Sir John Bramston as his brothers, Sir Moundeford Bramston and Mr. Serjeant Bramston, should be left to theire farther remedie against the said Mr. Mildmay at law. And it was ordered, and it is hereby ordered acordingly, that his Majesties declaration be registred in the councill bookes. ROBERT SOUTHWELL."

That Mr. Mildmay be turned out of all commissions, and Sir John Bramston and his brothers left to take their remedie at law.

I aduised with counsell as to vindicatinge my reputation (for Mr. Mildmay knew *calumniari audacter aliquid hærebit*, and I after found that true by experience, for others libelled me in the like kind afterwards, as I shall relate). I thought either an action would lye against Mr. Mildmay or an information against Macedo, or both; but I was told by good lawyers, such as I knew could aduise me, and would not deceaue me, that an action would not lye against Mildmay, because only Macedo and his wife could proue any thinge of the conspiracie; and the wife died soone after the order, and Macedo had confessed himselfe periured. The Atturney-general, at my first comeinge to him, was eager for preferringe an information against them both; but I found at my next comeinge to him that he was much cooled. Whether that Mr. Jones * (then of the King's counsell, after Atturney-generall), a great aduiser, or rather gouernor, of Mr. Atturney, had told him he must be warie how he discouraged informers; for he sayd to me, Some are of opinion not to discourage informers. Now Mr. Jones was of Gray's

The reasons why noe action would lye against Mr. Mildmay.

How the Atturnie-generall vsed me.

* Sir William Jones, made Attorney-General in 1673

Inn, well acquainted with Mr. Mildmay, very phanatick, and had taken displeasure at me for discourageinge a Bill he intended to bringe into the Parliament House to haue the guardianship of Arabella Allein, sole daughter and heire of her father, Sir Edmund Allein, and of her mother, whoe was heire to her father, Tompson,* and to her grandmother, Gent, from all which lands of very great value descended to this gyrle. Mr. Jones had married the sister to Sir Edmund, a widow of Mr. Robinson, and thought his wife, the aunt, rather then the Tompsons, ought to haue the disposeinge of the child. That which he tooke ill (I found after) was Mr. Mountague, my Lord Chief Baron, one day tryinge, told me what Mr. Jones intended, and I sayd, He were better let it alone, for the countrie thought the child as safe in Tompsons' hands as she would be in the Alleins'; which being told him by Mr. Mountague, he one day meetinge me in the Speaker's Chamber, sayd, Ah! Sir John, you haue broken my hart. How? sayd I. By discountinancinge my bill? I replied, That was my opinion only, which in priuate talke with Mr. Mountague I had deliuered to him, without any intent to disharten him, (but there was an intreague then carryinge on to marrie her to Mr. Mountague's sonn, which I should not haue impeded had I had the least apprehension of such a thinge). She had 1,200*l.* a yeare lands of inheritance at least; and I beleiue, could Jones haue brought it about, he might haue had a good reward. This I suppose was the cause of his anger against me and my brothers, which he neuer let fall to his dyinge day. But to returne. When I came to Mr. Atturney

The cause of Jones his anger

* Sir Edmund Alleyn, of Hatfield Peverell, Essex, the second Baronet of his name, married Frances, daughter and heir of Thomas Gent, of Moynes, in the same county, and left one daughter only, Arabella, or, as she is called in some pedigrees, Isabella, who inherited the estates of both families. She married first, Francis Thompson, esquire, of Hambleton in Yorkshire, so that the Thompsons seem eventually to have retained the guardianship of the young lady. Her second husband was Lord George Howard, eldest son of Henry Duke of Norfolk, by Jane Bickerton, his second duchess.

about the information, he, as I sayd, was cooled, and told me the Lord Chief Justice Hales was a scrupilous man, and might possibly be of opinion that the councill table could not giue an oath, at least that it could not be periurie; and he would not haue the power of that Board questioned. Doe what I could he stood immoueable, tho' I told him I was assured by counsell that it was periurie at common law, (tho' possibly not within any statute,) and punishable by inditement. But I doe beleiue he might haue some knowledge, or had heard, that Macedo had promise of pardon, for shortly after Sir Robert Wyseman sent me word he heard that Macedo was pardoned; where-vpon I went to the Lord Arlington, then Secretarie, to know the truth. He told me the Queene and Portuigal Embassador were soe very earnest with the Kinge not to bringe publique disgrace vpon one of their countrie, especially it beinge soe well knowne that Sir John Bramston is noe Papist, that the Kinge had suffered himselfe to consent to pardon him if he would, as he had promised, confess the truth. This trubled me extreamely, conceauinge my-selfe depriued of any way of vindicatinge my selfe publiquely, and I could not forbeare telling my Lord how iniurious his pardon would be to me, let him confess what he would, for I could by vndeniable euidence demonstrate the falsitie of his oath. At this tyme the Lord Ashly Cooper and Sir Thomas Clifford were comeinge into the rome. My Lord Arlington told them how concerned I was that the Kinge had pardoned Macedo. They askt me, Why? I sayd, Because I had noe way left for my vindication. Of what? sayd my Lord Ashly. Would you proue that it is day? does not euery bodie see that? Truble not your-selfe; noe man beleiues one word of that storie. Soe they tooke the Secretarie away, they beinge then all Commissioners of the Treasurie; and I am perswaded noe man did beleiue it, but such as desired it might get credit, that soe through my sides the Church of England may be blasted, and rendered suspitious of inclininge to Poperie. To draw this

Macedo pardoned, and soe noe information could be neither.

What the Lord Arlington, Ashley, and Clifford, sayd.

longe tale to an end, and in short to shew the falsitie of Macedo's oath, and the malice of Mr. Mildmay, I againe renew the protestation I made at the councill table, and before the Atturney-generall. I call God, the impartiall judge of all men, that I did neuer, in any place, at any tyme, heare Mass sayd or sunge, nor was I euer present, to my knowledge, when Mass was sayinge. I neuer was, out of curiositie or otherwise, in any of the chappells of Somerset House, or St. James; nor in any embassador's chappell, or oratorie, or other place where or when Mass was sayd; nor euer had any acquaintance with any foreigne embassador what-soeuer. And I now at the [end?] add, I neuer did see any popish preist in his habit or cope; I was neuer out of the King's dominions; I went with my father into Ireland, when he went to be maried to his last lady, else I was neuer out of England; nor did euer any man tempt me to the change of my relligion. To what is already sayd I shall only add what Monsier Brevall, a Frenchman, (formerly a preist of the Romish church, and of the companie of those in Somerset House, but now a conuert to the Protestant religion and a preacher at the Savoy,) attested under his hand, in the presence of Sir John Baber, and others, and was readie to make oath, when required, that he neuer knew any archbishop or bishop made by the pope or his authority for the kingdome of England or Scotland to the tyme of his conuersion, which was in the year 1666. But he beleiues the contrarie, because he knowes it was indeauored by the seculars and regulars to procure a bishop, but it was alwaies opposed by the Jesuits, and carried, by the interest of Pope Alexander the Seauenth, in fauour of the Jesuites; and beside, he sayd they would not disoblige the kingdome. As for dispensations to goe to church, and communicatinge with the Church of England, he neuer knew it done, but is well assured of the contrarie; for vpon the sollicitations and adresses of a person of qualitie here to the preists at Somerset House, in order to obteininge such a dis-

My protestation.

Mounsier Breval his testimonie.

pensation, it was consulted amongst them how it might be done, and in order therevnto, beinge willinge to promote such a matter, they transmitted the case to the doctors of Sorbonn, desiringe theire opinion and ayd to the pope. But they answered, It was altogeather impossible, there beinge two bulls express against it, and therefore not to be attempted. He added, It is true they had a Vicar Generall, or Superior, which sometyme was called Deane, whoe yet was not appointed by the pope, but chosen by themselues. Soe I haue done with Macedo, whoe is since dead, and gone to his place. I hope he askd and had God's pardon; tho' truely that hope is beyond reason, for as he neuer applyed to me for forgiuenes, soe I doe not find that he amended his life, or made any acknowledgement of his faults at his death, but, for ought I cann learne, he died as he liued. Thus I haue done with Macedo; only I shall add that his Majestie King Charles the Second would on all occasions tell the storie as the greatest conspiracie, and the greatest forgerie, that euer he knew against a priuate gentleman; and would say, After Oates his plott was on foot, that the Popish Plott begann vpon Sir John Bramston.

For that plott see hereafter.

I continued stedfast in the profession I had euer made of that faith held forth by the Church of England; and, as compleints were made, executed the laws on the Dissenters, which continued their hatred and malice against me, testified by a libel scatered at quarter sessions in the towne of Chelmesford and was this:—*Johannes Bramston honorabilis ordinis Balnei Miles, Papatus Papa, Sacerdotis fucosi patronus, atque inimicorum Ecclesiæ conseruator. Veritas huius quotidie manifesta est si sine partialitate obseruabis.* It was indorsed the "Red letter man's Diernall." This I haue by me, deliuered me by Sir Henry Apleton, baronet.* It is written in a counterfeit hand, (as will easily appeare,) that the writer might not be

Another libel against me in Latin.

* Sir Henry Appleton, of South Bemfleet, Essex; second baronet of his name and family.

discouered. There was another writen by the same hand, I beleiue, tho' somewhat differing from this, as alsoe did the indorsement. That was caried by Tymothie Code, a scriuenor in Chelmsford, to the coffee house, and there read by one Mr. Johnson, curat at that tyme of the parish, in presence of Thomas Argall esquire, who aduised the sendinge it to Sir John Shaw: he gaue the rule in court that Sessions. When it was brought to him, he sent for Code, and, by the consent of some other justices then present with him (it was night, and I was gone home, and returned noe more that Sessions), bound Code to appeare the next day, and Johnson to giue euidence against him, for they intended to indite Code as author and publisher of the libell, as he was by the grand jurie the next day, and he inforced to enter his trauers; vpon which inditement he was at another Sessions tryed, found guiltie, and fined. But in the meane tyme Code applyed himselfe to me, protestinge his innocencie and ignorance too, sayinge, as he did at his tryall, that a boy playinge at the sheepe penns neere his house, tooke up the paper and brought it to him; and he, that he might vnderstand the Lattin perfectly, (for he sayd he knew not what the word *fucosi* signified,) caried it to the coffee house, and desired Mr. Johnson to reade it, which was all he knew of that matter. I told Code I was sorie he was putt to truble, auoweing, had the paper binn brought to me first, I would haue putt the libell into my pocket without farther inquirie, beinge verily perswaded noe man in the countie could possibly thinck me a Papist.* But yet I would not be wiser then my fellows, therefore I would submit to their discretions as to the proceedinge in that affaire. At the next Sessions he was tryed and found guiltie, and a fine sett, which, at my request, was mitigated in Court, out of charitie to his familie, he beinge poore and low, tho' he had binn an officer in the Parliament's armie, and one of Templer's troope, that had a certein pension to be readie on all

Timothy Code indited for it.

He was tryed and fined, but, at my request, the fine was mitigated.

* This would have been the wisest course, but Sir John Bramston had become extremely sensitive on the subject of his religion after Macedo's plot.

I did not thinck Code the author, but a chaplain of the Lord Fitz-walter.

occasions. It was plane he did publish it; but I did not thinck him the author or contriuer of it. I tooke occasion in the open court to make the like protestation, as I had before done, and is alreadie mentioned in this storie. The author I iudged to be a clergieman, chaplaine at that tyme to the Lord Fitz-walter; I haueinge that afternoone, to ease Sir John Shaw, whilst he tooke a pipe of tobacco, giuen the rule of court to the dissatisfaction of two clergiemen, the one of which was a Scotch-man, the other I doe not know whence he came, nor doe I now remember theire cases. But this chaplaine of my Lord's euer declined after comeinge where I was, and would neuer be preuailed with by Mr. Butler, curat of Roxwell, to preach in his ease or absence for him, (a thinge most of the neighbouringe clergie desired,) and gaue noe other reason but that he would not preach before me. I verilie thinck it was out of guilt of the iniurie done me, and least he should be conuinced of the follie and falsitie of his libell. But to goe a litle back. In the year 1640 a Parliament was called to begin the 3d November that yeare: as I haue before sayd, I was chosen for one of the burgesses for Bodmin, in Cornwall. Mr. William Drake, parson there, with whome I had acquaintance in Wadham Colledge, in Oxford, and an atturney of the King's Bench were my freinds, my father haueinge rid that circuite that yeare. I had all the popularitie of the maior part of the select number; but Anthony Nicolls was returned and sate, and I was putt to petition, which I did; and at the committee my election voted good by the whole committee, except Sir Arthur Haslerigge and Sir Henry Mildmay, of Wanstead, younger brother of Sir Humfry Mildmay, of Danburie, allied by the Clovills vnto my father, as were those of Moulsham (but not soe neere). This case was neuer reported to the house, tho' Mr. Mainard, my freind and good acquaintance, had the chaire at the committee. But my aduersarie, as sayd, was Mr. Anthony Nichols; he was a nephew of Mr. Pym, a great, nay, a mightie man in that as he had binn in former Parliaments. The iniustice in keepinge

In the year 1640 I was chosen burges for Bodmin, in the Parliament 3 November, '40.

Nichols returned and sate, but at the committee my election voted good.

Yet the case was neuer reported.

him in was soe notorious, (it was heard very earlie the first Session,) that the Kinge, in one of his declarations, tooke notice of their keepinge in a man for their turne against all right, and named Mr. Nicolls; but that signified litle to them. Soone after, the Earle of Stamford, Generall sometyme in the West, quarrelling with him, the said Earle sent a gentleman to me at Screenes, then with my father, wondering I did not come and clame my right, offeringe his assistance, and by his friends. I sent his Lordship word I had gone as farr as I could; that it rested with the chaireman to make the report, on which I had attended vntill I was wearie; and that when the case was reported I would come. His Lordship gott some member to call for the report, but Sir Arthur Haslerigge sayd they were possessed of a good member, and why should they change for one they could not confide in? But that reason was too gross; so Mainard was forced to say he would looke out his notes, and be readie when it was called for. That brunt beinge ouer, Nicolls was putt into the Secret Committee, and the business rested vntill Sir Thomas Fairfax and the officers of the armie quarrellinge, the sittinge members in one of the declarations mentioned the iniustice of keepinge one in the house, Mr. Nicolls, whose election had binn voted long since void; wherevpon the House commanded Mainard to make the report. He sayd he had deliuerd his papers, beinge sick, to Sir Guy Palmes, whoe neuer returned them, or, if he did, they were soe mislayed that he knew not where to find them. But that must not serue the turne; the armie must haue a better account; he must find his notes, and report at his perill. Yet that went ouer too, and the case was neuer reported. I confess I was very well pleased, that since Mainard had slipt soe much tyme, it might sleepe still, for vnless I had come in at first, and my case reported in its course, when they fell vpon such vnwarrantable things, I told Mainard I would not press him any longer to report; for which he gaue me great thancks, sayinge he was importuned to forbeare.

I prest not the report.

Yet, when Munck called in the secluded members, I came and clamed my right, but it was not reported then neither.

I must haue binn ruined had I binn in, for I could not haue complyed, and then I had run my head against a brick wall. But yet when Munck had restored the members, as I haue before sayd, and wee plainly see day breakinge, I came to Mainard, and desired him to looke out his notes, for that I would clame my right. He diswaded me, as did Sir Harbotle Grimston and others, sayinge they were to sitt but vntill writs could be framed for summoninge another Parliament. I sayd I cared only for the right of electors, not at all regarding my-selfe, only I would haue the right determined; yet for all this the case was not reported, and I neuer came into that, nor would come into any other of those vnder Crumwell, keepinge my selfe as priuate as was possible, neuer appearinge at assise or sessions, nor at any election of Parliament men, only the year before the King's returne, at the instance of Thomas Argall esquire, my intimate good freind, and one who had aduentured his life and fortune in the King's cause, haueinge indured the seige in Colchester, &c. at his request I went to an election, and caried by the votes that went with me the election for Mr. Charles Rich (afterwards Earle of Warwick). It was a very pitifull appearance. I thinck the most was but 150 voices upon the poll, and Mr. Mildmay came within six or seauen of Mr. Rich, so that apparently those that went with me out of Roxwell, which were 12 or 14, caried the election; and had not Sir Thomas Wyseman, the then sherrif, made hast, and declared the election, and sealed the indentures as he did, Mildmay haueinge sent out for his freinds, he would haue out-numberd him.

I appeared at an election for Mr. Charles Rich.

I haue extended this narratiue to a much greater length then was in my purpose at first, by manie digressions not intended, nor indeede in my notes; but as I was transcribinge, things came to my memorie, which is a cause too that noe order of tyme is obserued. I cannot thinck what I haue set downe worth my paines of reuising, much less new writinge; and yet

I confess I am sorie I begann in this booke before I had finished my designe in loose papers. But, haueinge tyred myselfe, I cann easilie forgiue those that shalbe willinge to spare the paynes of readinge; and haueinge, much contrarie to my resolution, sufferd my-selfe to be chosen againe by the burrough of Malden to serue in this first Parliament of King James of that name the Second, I shall venture to tell the reasons why I was preuailed with, not only to continue the other employments (that of Vice-Admirall only excepted), but alsoe to serue again in the House of Commons. My brother Serieant Bramston dyinge, and by his will giueinge great legacies, and leaueinge considerable debts, made me executor of his will; I being his heire too. The pention the Kinge gaue him at his remouall of 500*l.* per annum was in arreare at his death three yeares and a halfe, which amounted to 1750*l.* I considered his lands would but litle more then pay his legacies and debts; wherefore I thought it very necessarie to make application to the Kinge for obteininge the pention. I knew how easily a man out of sight is out of mind too; and I did thinck, if I gaue ouer all imployments, I might raise arguments against me, and I did hope that by continuinge in busines I might further my suite by some offered opportunitie or other. My brother had sollicited, but could not obteine; I tryed, and was fairely promised; but yet I found it necessarie to be often in view, and soe tooke a lodgeing in towne, and went into the countrie on occasions at sessions, assises, and the meetings of the Justices and Deputie Lieutenants, which was very tyresom to me; yet I would neither giue ouer the employments nor quit my pretence to the pention; so I continued in the commission of peace, and accepted a new deputation of the Lords Lieutenants duringe the life of Kinge Charles the Second; and the same reasons holdinge, and inforced too by the accession of the crowne to his brother, his lawfull and rightfull heire, I considered if I should not continue the said employments, and should refuse the burrough's

Reasons that induced me to consent to be chosen burges for Malden in this first Parliament of King James 2d.

kindnes and respects to me (especially I haueinge positiuely refused to stand for the countie, tho' vrged thereto very extreamely by the Duke of Albemarle, and invited alsoe by the whole gentrie), it might be ill taken by the Kinge and the countie too, I haueinge declined the countie service in regard of the charge. Wherefore, and in hope of findinge a fauorable opportunitie for obteininge the pention, I gaue way to the bayliffs and aldermen to name me for one of the burgesses; but withall tellinge them I would be at noe charge, which they assured me there would be noe neede of; but it fell out quite otherwise, and it cost me by accident as much as if I had binn Knight of the sheire. But on this ground I am once more in action, and God grant I act my part as I ought; and yet, when I undertooke this, I wanted few months of compleatinge my seauentie and fowerth yeare of my age; and this day is the 18th day of August, 1685, in which month I haue euer thought I was borne, tho' I find I was not christened vntill the eleuenth day of September, so that I may reasonably hope to compleat the 74 yeare before I finish this peece, and giue ouer scriblinge.

King Charles 2d sickned.

Kinge Charles the 2d on Candlemas day, in the morninge, February 2d, 1684, as he was dressinge, was stricken with an appoplectick fitt. His Majestie had compleined of a paine neere one of his anckles, and a litle swellinge there was, to which he vsed a plaister. His phisitians had all binn there and see it dressed. It had hindred him in his walkeinge, but they thought noe thinge daingerous, and went all out of his chamber about their owne affaires. They were no sooner gone but his Majestie fell into his chaire, and Mr. Howard (sonn of Sir Robert Howard), a groome of his bedchamber, rann hastilie out to find some of the phisitians. One came, Dr. Kinge, and immediately let the Kinge blood (a bold thinge), but not enough it seemed, for when others came they tooke more from him, and applied to his head the fier pann and burning amber, &c., and brought him in some measure to his senses. After an hower or

Dr. King vpon his single opinion let him blood;

by which the King came to some sence;

more he came to know those about him, and manie had hopes of his recouerie; and now they sayd it was not an appoplexie, but found another name for the distemper. A day or two after his Majestie had another soundinge fitt, but he came quickly out of it, and he continued soe sensible that he knew those about him, and could speake to be vnderstood. As the children came to him he talkt to them, and that morninge that he died blest them. He continued from the 2d to the sixth of February, when, about tenn of clock that morninge, he dyed.

but he died the fowerth day after his beinge first taken.

I shall not dare to say any thinge of him, haueinge seene none of the manie that haue vsed their penns and their wits that haue giuen him his due; soe much I iudge him aboue their fancies.

The same day that the Kinge Charles the 2d dyed his present Majestie Kinge James the 2d was proclamed in Westminster, at White Hall, at Charinge Crosse, and at Temple Bar, by the Lords of the Councill, and in London by the Lord Maior, Sherriffs, and Aldermen, and the next day a Councill beinge called the Kinge spake thus.

Kinge James 2d proclamed the same day.

"My Lords,—Before I enter vpon any other busines, I thinck fitt to say some thinge to you. Since it hath pleased Almightie God to place me in this station, and I am now to succeede soe good and gracious a Kinge, as well as soe very kind a brother, I thinck it fitt to declare to you that I will indeauour to follow his example, and most especially in that of his great clemencie and tenderness to his people. I haue binn reported to haue binn a man for arbitrarie power; but that is not the only storie has binn made of me, and I shall make it my endeauour to preserue this Gouernment, both in Church and State, as it is now by law established. I know the principles of the Church of England are for monarchie, and the members of it haue showed themselues good and loyall subiects; therefore I shall alwaies take care to defend and support it. I know, too, that the lawes of England are sufficient to make the Kinge

His Majesties speech to the Priuie Council.

as great a monarch as I cann wish; and as I shall neuer depart from the just rights and prerogatiues of the Crowne, soe I shall neuer inuade any man's propertie. I haue often heretofore ventured my life in defence of this nation, and I shall goe as farr as any man in preseruinge it in all its just rights and liberties."

Note.—All the Lords, and others of his late Majesties Priuie Council that were present, were sworne againe of Priuie Council to His Majestie. A proclamation was ordered to be published, signifyinge His Majesties pleasure that all men beinge in office of Gouernment at the decease of the late King shall soe continue vntill His Majesties further pleasure.

His Majestie was alsoe proclamed in euery countie, city, and borough throughout England; and innumerable addresses from all counties, corporations, and societies throughout the King's dominions.

I applyed to the Earl of Rochester for obtaining the pension.

From the death of my brother I had applyed (as I had in my brother's life-tyme) to the Earle of Rochester for obteining from His Majestie my brother's pension. This Earle was second sonn of the Earle of Clarendon, Lord Chancellor, my chamberfellow and freind, as I haue said. When I came to his Lordship he expressed sorrow for my brother's death, saying he had certeinly binn a Judge had he liued to the Tearme, and bid me state the case and bring it to him in writinge, addinge he would indeauour to serue me in this. I told his Lordship I should relie vpon his freindship wholely. He replyed, You have reason, and I will serue you in it.

How I was vsed by his Lordship.

I went into the countrie extreamely well pleased. About a month or six weeks after I came to towne againe, and went to his Lordship. He told me he neuer thought of me since he see me, but he would take my paper, and carrie about him, that he might forget no more. I came againe and againe, and had good words and kind reception, so that I came away not dissatisfied. Then he told me he would doe it before they rose,

that is, the Commissioners of the Treasurie. There were then ioyned with him Sir Jo. Ernlie, Chancellor of the Exchequer, Sir Edward Deeringe, Sir Stephen Fox, and Mr. Godolphin. Euery man told me it was in his power, and that, he haueing soe often sayd it, doubtles he would performe. At another tyme he sayd it should be done in a fortnight, and thus it continued all that winter. I stayd in towne in continual expectation of dispatch euery day, to my very great charge, lyinge at lodgeings at 30*s.* a weeke, my daughter and seruants in towne, my coach and horses too; for I verilie belieued I should be dispatched, and haueing binn a little indisposed in my health, my daughter would by no meanes leaue me here alone in lodgeings. Wee had our diet at the cooke's. At length, after manie attendancies, and assurancies that it should be done, and his Lordship biddinge me not truble my selfe to rise and attend, he would infallibly doe it, one day comeing to him, he told me he wanted a helpe. I askt him of what nature. He sayd, One that in his presence would moue the Kinge; for, says he, it is not very proper for me to moue the Kinge to giue away his monie. I replyed, I was sorie I knew not that sooner; for I was not soe destitute of friends, but that I could find one that would doe that for me. He askt whoe that was. I named my Lord Keeper (North), whoe was my very good freind, and I did beleiue he would doe it. He replyd, That is the man I would haue doe it. I went immediately vnto my Lord Keeper, and his Lordship very readilie and kindly vndertooke it, and sayd he would speake with my Lord Treasurer at next Council and doe it. I sayd I hoped his Lordship would not forget me, for I had attended longe, and had noething but words. His Lordship replyed, But I will doe as one freind should doe for another. And, altho' he did forget too at the next Councill, yet I comeinge to him the night after the Councill was vp, he told me he had forgott it; and, seeinge me cast downe my countinance, Indeed, Sir John, sayd his Lordship, I will forget

The Lord Keeper's kindness.

noe more; and he was as good as his word, and did moue the Kinge, whoe ordered the Commissioners to see it done. My Lord Keeper sent to me the next morninge to come and dine with him, and told me what was sayd by the Kinge, and bad me goe to my Lord Rochester. I did soe. He bad me put the paper I gave him (which he had delivered to my Lord Keeper) into a Petition to the Commissioners of the Treasurie, and deliuer the Petition to him, and he would take a fitt tyme to haue an order vpon it. I did soe, and came againe and againe, and had noe thing but good words and excuses, and once againe an assurance it should be done before they rose. The tyme growinge neere that the Commissioners were to rise, the Kinge beinge gone to Windsor, and euery bodie goeinge out of towne, I came to him, and he sayd, I wonder you will giue your-selfe soe much truble. I haue not broken my word with you: wee are not vp yet. I thanked his Lordship, and went away well satisfied, interpretinge that chiding as kindness, and soe did the Lord Keeper too, to whome I told what passed. Within very few dayes he was aduanced (as the Lord Hallifax, vseing his wit, sayd), kickt vp staires: others had binn kickt downe staires; but he was kickt vp staires. He was made Lord President of the Council. I came to my Lord Keeper. His Lordship prevented me, sayinge, He doubted this change would be preiudiciall to your affaire. I feared soe, I sayd. But to the Lord President I went, congratulated his aduance. He replied, You are angrie that your business is not done. I beseecht him to thinck otherwise of me, that I was better bred then soe; but, sayd I, my Lord, what is now to be done; is my busines dead? I doe not thinck soe, sayd his Lordship; you must either get your freind, my Lord Keeper, to speake againe to the Kinge, or I must speake to the Lord Godolphin. (This gentleman had binn page to the Kinge, and in great fauour with him, and had binn a Commissioner of the Treasurie, and aduanced to Secretarie of State; but on this remoue he was made a lord, and re-

Earl of Rochester remoued to be President of the Council.

Lord Godolphin.

turned againe to be Commissioner of the Treasurie, in the rome of the Lord Rochester.) I told his Lordship I was vnwilling to put my Lord Keeper to that truble, it beinge out of his prouince. Why then, says he, I will speake to the Lord Godolphin ; which yet he neuer did, but putt me off from tyme to tyme, vntill at length the Kinge died.

My letters to the Earl of Rochester.

Soone after which I writ a letter to him, wherein I sayd, I knew a great part of the reuenew by the King's death was gone from the Crowne at present, wherfor I did not expect readie monie, but I hoped vpon the change of officers some employment might, by his Lordship's fauour, be found for me, that might recompense me. And not longe after, the Kinge beinge to be proclamed at Chelmsford, and the Duke of Albemarle and the Lord of Oxford goeinge into Essex on that occasion, sent for me, and would haue had me goe downe alsoe; and gaue me his reason, There wilbe, says he, a Parliament shortly, and you must be Knight of the Sheire. I excused both the one and the other, and plainly told his Grace I could not beare the charge vnles I could gett the pension due to my brother, three years and a halfe, which came to 1,750*l.*, for which I had sollicited my Lord Rochester longe, and could get noethinge but words from him. Will you take my aduice (says he), go to the Kinge yourselfe. I will send to my Lord of Bathe to introduce you, and immediately called Mr. Chapman, and sent him with me to Whitehall. But I considered if Rochester were there I must vse no other; I alsoe thought if my Lord of Bathe were not there, I should be at a loss; soe his Grace ordered Mr. Chapman in such case to speake to the Secretarie, the Lord Midleton, to doe it. When we came, the Earl of Bathe was not there, soe he spake to my Lord Midleton. But I askt if my Lord Rochester were in the bed-chamber; he sayd, Yes. Then I desired his lordship to tell my Lord of Rochester I desired to speake a word with him. He immediately caused me to be let into the bedchamber, which was full

What use he made of it, and how he treated me.

of companie, but I whispered in his eare my busines, tellinge him I [was] prest by the Duke of Albemarle to goe downe to the proclaminge of the Kinge, where would be most of the gentry of the countrie, and where they would resolue of knights of the sheire against the next Parliament; that I knew they would pitch vpon me for one, but in the condition that my estate is I could not beare the charge; and therefore vnles I might haue the pension, or some considerable part of it, or else some imployment equivalent, I must not goe downe, but decline seruinge in the Parliament. He replyed, You know a great part of the reuenue is gone, and you say in your letter that you doe not expect readie monie; and for imployment, what would you be at? I sayd, His lordship knew what would be void. He replyed, I cannot tell; say what. I then named a Commissioner of the Excise or the Customes. Sayes he, Theire are too manie alreadie, in my opinion. Then, sayd I, It wilbe in vaine for me to name, and I must decline the seruice. I am sorie for it, says he; But why now? why iust now? I sayd, Because I am importuned to goe down now this day, and I know I shall be prest to stand for knight of the sheire, and I cannot beare the burthen and charge. I am sorie for it, I cannot helpe it, sayes he; and this was all I could get from him. I went back and told the Duke of Albemarle the storie, who seemed trubled, as foreseeinge they should be to seeke of one for knight of the sheire. But I protested I could not, nor would not, runn the hassard and charge, and soe I went not the journey; and in this state stands my suite for the pension. I haue neuer seene him, I meane at his lodgeings, but once since, and that was to wish him joy of his White staff; he beinge made Lord Treasurer by his present Majestie, and hath the Garter too. It would haue binn otherwise with him, in the opinion of knowinge men, had the Kinge liued a while longer; tho' that Kinge, when he remoued him from the Treasurie, sayd in council, it was not out of any displeasure, or dislike of his seruice, but because his

He is made Lord Treasurer, and Knight of the Garter.

Majestie found it necessarie for his affaires; and in testimonie that he was not offended with him his Majestie had constituted him Lord President of the council, and had spared the Earle of Radnor his attendance in respect of his great age, which yet I neuer heard that earle desired, and I am assured it was vnexpected. But the Lord Marques of Hallifax and he had diuers bickerings and contests in the cabinet and publique councils; and the Marques had informed the King and council of a fraudulent bargain. One Trant and his partners had obteined from the commissioners, wherein the Kinge was defrauded, a great sum of monie, (which storie, if I cann learne perfectly, I will sett downe hereafter,) which his lordship beleiued, and ment should end in the Earl of Rochester, whoe ruled all at the Treasurie. The Kinge, who naturally loued monie,* and whoe was glad to heare monie was to be had, had the hearinge of the case, and resolued to sift it to the bottom; and had appointed a farther hearinge, which should haue binn the same day his Majestie was taken sick. Trant and his partners offered, rather then to make a disturbance, that they would pay downe the 30,000*l.* which was sayd they got cleere, without any hassard. The Kinge sayd, Noe, he would know more before he tooke any monie of them. And manie thought his Majestie was wearie of Rochester, and tooke that occasion to be quit of him.

Trant accused by Hallifax, but the designe was against Rochester.

Soe the change was luckie to him, for he is aduanced since to the Treasurer's staff, and the Order of the Garter, an honor his father neuer had, nor hath his elder brother, tho' he hath the Priuie Seale; and the Marques Hallifax, acordinge to his owne phrase, is kickt vp to the Presidentship of the councill. But to goe on with my owne storie. As I had declined the beinge present at Chelmsford for the reason I before gaue, soe there, when the gentlemen would neeedes name me to stand for one

Hallifax kickt vp stayers himselfe, and from Priuie Seale made President of the councill.

* Pepys remarks how overjoyed this King was when Sir J. Greenville brought him some money at the Hague in 1660, "so joyful that he called the Princess Royal and the Duke of York to look upon it as it lay in the portmanteau."—*Diary*, vol. i. p. 46, 4to ed.

The gentlemen at Chelmsford would haue had me knight of the sheire.

They on my refuseall fixed on Sir William Mainard and Sir Thomas Fanshaw.

of the knights, and the Duke of Albemarle had told them my positiue answer, they in discourse named Mr. Peter Soame;* he refused absolutely; they at last fell vpon Sir William Maynard to joine with Sir Thomas Fanshaw. The latter had binn named with me, or indeed I had named both priuately to his Grace, and publiquely to the gentlemen, at seuerall of our meetings; but Sir William was not thought of before. The Duke of Albemarle, at his returne from proclaiminge the Kinge, told his Majestie they had resolued to set vp Sir William Mainard and Sir Thomas Fanshaw to be knights of the sheire, Sir John Bramston declining it; But, sayes he, he wilbe chosen at Malden, for all the towne is for him. This really greiued me when I heard what was sayd to the Kinge, because I really intended to be quiet, and medle with noe more publique business, especially vntill I had obteined my desires of his Majestie about the pention, in sollicitation for which affaire I had well nigh spent as much as a third part I demanded came to. But it haueing binn told to the King that I might be chosen if I would, without charge or truble, I feared his Majestie would be displeased should I refuse to be burgess, as I had refused to be a knight; and withall I considered possibly I might find some opportunitie to facilitate my busines when I should apply my-selfe to it; and, presumeinge it would be litle charge, for the bayliffs, aldermen, and capitall burgesses were to a man for me, and assured me there could be no dispute, for very manie of those that formerly gaue against me would be now for me, and had declared soe, I sufferd my name to be vsed, sayinge I would be at noe charge; but it fell out contrairie to theire and my expectation. I desired my sonn, or nephew, Anthony Abdy, might be chosen with me; they both positiuely declined, and the Duke of Albemarle had a desire to bring in Sir Thomas Darcie, his neighbour (whome he set vp against me once before, and, ioyning with Sir Wil-

The reasons why I accepted of beinge burges.

* Of Heydonbury in Essex.

liam Wyseman, put me by), and spake to me to that purpose, my sonn and nephew declininge it. I told his Grace I wondered what confidence he could haue in Sir Thomas; he was Puritan bred and borne; but he replyed, "I will answer for him; he shall goe right." He added too, "Sir Thomas hath interest in his neighbours, and wilbe vseful at the election of the knights of the sheire." But I confes I could not be of that mind; yet, beinge vnwillinge to disobleige his Grace, I gaue way. At the tyme of the election, Sir William Wyseman, and his cousen, Samuel Wyseman, appeared, and stood in opposition to me and Sir Thomas Darcie. I told the Duke most of my friends would giue single voices at first, least if they gaue for me and Darcie, and Sir William his friends should giue for him and Sir Thomas Darcie, as they had formerly, then I might be excluded, and they had noe mind I should miss or be putt to hassard. His Grace was contented, and sayd it was reason they should secure me: at that tyme we did not know that Samuel Wyseman would stand; but Henry Mildmay, who is a freeman, and was at the election, perswaded the standing of Samuel, supposeinge it would be as easie to carrie for both as one, and he doubted not but to carrie it for Sir William. At the day his Grace came, and brought all his freinds and seruants that were freemen with him. Sir Thomas Darcie and I met at the townes end; the bayliffs, &c. met at a litle distance from the towne, and we all walked togeather into the inn. They continued in opinion I should without doubt be chosen, nor did I any thing doubt it. Sir Thomas had noe interest of himselfe, and soe told me; he must relie on the Duke of Albemarle and myselfe. I was vext tho' to find there would be opposition; the bayliffs had told me, and Sir William gaue out he would not stand; yet vnderhand he made what voices he could, and came once or twice to the towne and largessed the freemen; but he appearinge, I foresaw a charge which I was trubled at. The Duke sayd he would beare a third, and in truth he had reason; nay, Sir Thomas and his

The election, and how Sir Thomas Darcy came to be chosen with me.

Grace ought to haue borne 3 parts of 4, for a 4th part was as much as I should haue needed to haue spent if I had not ioyned with Sir Thomas, tho' Sir William had stood. We went to the choice, which is, when the bayliffs haue read the writ, the towne clerk calls euery freeman by his name, the bayliffs, aldermen, &c. and all the towne dwellers (that was done by my aduice), and then the gentlemen of the countrie, clergiemen, and others. 55 gaue single votes for me; others voted, some for me and Sir Thomas, some for Sir William and me, and a very few for Sir William and Samuel. When all were called ouer, I had the maioritie of Sir William by 35 voices, but Sir Thomas was short a great manie. I whispered the Duke and bayliffs to adiourne (without casting vp the poll) for halfe an hower, which was done; the Duke and I and our freinds went to our inn, where, callinge togeather those that had giuen single votes for me, I told them I was cleerly chosen, vnles they would giue theire other vote to Sir William, then I might loose it; but if they gaue the other voice to Sir Thomas, possibly he might carrie it too against Sir William, and thereby they might gratifie his Grace too very much. His Grace caressed them, called for wine and dranke to them, and they resolued they would doe soe. We went to the Court, and called all that had giuen single votes (for some had done soe for Sir William, then they found manie doe soe for me), and all haueinge giuen that would vote, Sir Thomas had the maioritie of Sir William by nineteene voices. Soe we were returned. At the returne to the Court, Mr. Mildmay, seeinge all my single voters giue their second vote for Sir Thomas Darcie and findinge how the maioritie was, he sayd this was caried by pure management. I told him it was ominous, and that he would find himselfe disappointed too for the countie; yet the Duke askinge him if they should meete at the election for the countie, he told him very confidently he would meet him; which he did not, at least I did not see him there; but I confess I heard he was in the feild, and was fetcht thither by a trick, as he called it, but was

Mildmay out of countinance at the choice of Sir Thomas Darcy.

very faire, and thus: He came first to Chelmsford, beinge neerest the place; some gentlemen, some diuines, and a good number of freholders called at my house; we went togeather, and increased by the way; when we came neere the towne, I tooke horse, and the companie would needes haue me ride into the towne before them, as theire conductor. At the townes end, wee heard a shout at the other end. We made a litle halt, because the Lord Maynard sent to me to stay him and his companie, his Lordship beinge gone downe Braintree lane to meete them that came from Dunmow and that side of the countrie (his Lordship came the night before from London, and Sir Richard Wyseman with him in his coach). After a very litle stay, we rode on, intending to goe through the towne and meete the Duke of Albemarle, and come into the towne with him. About the midle of the towne wee met Mr. Mildmay and his companie, Sir Gobert Barrington and Mr. Anthony Luther, in the first file, Mr. Atwood, Mr. Robert Mildmay, of Tarlinge, his nephew, and Mr. Rotheram, the elder, in the next file; and these were all the gentlemen or that had the face or habit of a gentleman that were in his companie; I am sure tenn tymes the number of gentlemen, and I thinck as manie more horses, were with me then as with him, but he had a great rable on foot. I kept my path, and soe did those that followed me, fallinge a litle neerer the wall, and he and his companie from it, soe we passed by and had full view of our companies. We thought our knights had binn with the Duke at New Hall, and soe called them not, but passed throw the towne and towards New Hall, where wee vnderstood the Duke was still expectinge his Colchester men; and about midway we had sight of his Grace, soe wee diuided, and made a lane for him to pass, and then we ioyned our companie to his, and putt him in the head of vs all. Quickly after we turned, came Sir William Mainard and Sir Thomas Fanshaw, whome his Grace tooke one of the right, and the other on his left hand, and soe rode into the towne. Wee and all our companie (I

The election for knights at Chelmsford, how it was managed.

meane the horsemen, we left those on foot in the towne) followed, fiue on breast, and soe rode vp the towne and about by the Cross downe the towne on the other side; and when wee came to Colchester Lanes our men were not all come into the towne, soe his grace and the companie stayd, to let them goe by vs; and then came the Lord Petre ouer the Bridge, with a great number of gentlemen, his kinsmen, his tenants, and other freeholders, his neighbours, 300 I thinck; theire we closed with his companie, and rode vp the towne and into the feild. But Mr. Mildmay and his companie were vpon the Bench and in the Court where the election was to be. We tooke a round in the feild, and then lookt for Mildmay, we not knowing he was on the Bench; but, vnderstandinge quickly where he was, the Duke sent to the Sherriff to come and take view of the numbers, that he might judge where the maioritie was, and that he would adiourne the Court into the feild, to take the poll there, if it were demanded. Which beinge done, and the tables brought into the feild, this brought Mildmay into the feild with his companie; which beinge done, and the sunn shininge very hot, the Sherriff adiourned the Court back againe into the Sessions House, and we rode vp thither, and tooke our places on the Bench and in the Court as neere as could bee. The writ was read, and the candidates named, and the poll demanded by Mr. Mildmay. The Sherriff askt the gentlemen if they were content [with] his clerks whome he had appointed to take the poll or not. They consented to his clerkes, and had superuisers. He had appointed six to take the poll, and as many to giue the oaths (yet Mr. Mildmay had two of his owne that tooke the poll). In regard euery single freholder was to be sworne whether he had 40*s.* freehold, and whether he had not voted before (as was necessarie) was after a while added, otherwise, there beinge soe manie writers and swearers, here might be deceit, I did iudge the poll would last 2 or 3 days, and soe did the towne too, and had laid in prouisions of hay, &c. Acordingly, Mildmay giueinge out if he had faire play he would shame

the Duke and the gentlemen (but by the way let me note here he kept not his word with his Grace; for he met him not in the feild, for indeed he had very few horse, and the riders pittifull fellowes), about two of the clock I went off the Bench to gett a bitt of meate and a cup of wine, sayinge to-morrow about that tyme wee might giue a guess what would be the issue. I was not gone aboue an hower and halfe, and when I came back, and had stayed a very litle tyme, the busines was at a stand, and the Sherrif bid the cryer make proclamation. I askt what was the matter. Why, says the Sherrif, there are noe more to poll for Mr. Mildmay and Mr. Luther. And Mr. Mildmay then comeinge on to the Bench (for he had binn to refresh too, or to send for his partie to come in), the Sherrif came to him, and askt what he should doe. Mr. Mildmay replyed, Make three proclamations, and if noebody come I will acquies. The Sherrif * (Mr. Smart, a draper of London), haueinge made 3 O yes, thought he had made 3 proclamations, and answered he had done it. But I told him those 3 O yes were but one proclamation, and that he must cause the words of the proclamation to be spoken 3 tymes as well as the O yes. Then another proclamation was made with 3 O yes, If any freeholder hath not giuen his vote let him come in. Where-vpon seuerall cryed out, I haue not. Whoe comeinge, gaue for Mainard and Fanshaw; which I obserued, and went to the Sherrif and the Duke, and aduised them to desist polinge for them, and to make proclamation if there were any would giue vote for Mr. Mildmay or Mr. Luther, that had not voted alreadie, they should come in, or the poll wilbe closed; which was done three tymes, and none comeinge, the Sherrif demanded all the bookes from the clerkes, which were deliuered to him, which he perused, looking in euerie folio, and compared the seuarall columns intituled with the names of the candidates in each columne. Vpon his view it appeared the columns for Maynard and Fanshaw were full; but

The election finished in a much shorter tyme then was expected.

* Joseph Smart, of Theydon Bois.

most of the others not neere full, and some none at all; in most not halfe way. Soe he declared that Sir William Mainard and Sir Thomas Fanshaw were chosen knights of the sheire by the pluralitie of voices. When he cast vp the poll, Maynard and Fanshaw had 1843, Mildmay and Luther had 1324, as I remember; soe we out-numbered them 519, and yet wee had at least 500 in towne that had not giuen their votes when the poll was closed, which would haue voted with vs, and came for that purpose. Now I cannot say but that the Sherrif ought to haue cast vp the poll before he had declared the election; but there was noe exception taken by Mr. Mildmay or Mr. Luther, nor did either of them require or demand it, beinge conuinced the maioritie was against them. And certainly this was as certain a way and as good a judgment as any cann be on the view, and yet that is vndoubtedly good if the poll be not demanded. Before I enter on the relation of what was done in Parliament, I will goe a litle back, and relate somethinge of two or three plotts brought to light in the last King's life-tyme.

Sir William Mainard and Sir Thomas Fanshaw chosen.

In the yeare 1678, one Dr. Tongue had information, he sayd, from one Titus Oates (who had binn a Protestant, but turned to the Roman Church, and from them againe came to be a Protestant), that there was a generall plot by all the Papists in England against the Kinge and the Church of England, &c., of which he made meanes to acquaint the Kinge, giuing in writinge a short account of it. The Kinge was goinge for Windsor, and ordered him to attend the Earle of Danby, then Lord Treasurer, and make his storie more fully to his Lordship. Oates and Tongue goe before Sir Edmund-Berie Godfrey, a justice of peace of Westminster and Middlesex. He tooke their informations vpon oath 27th September 1678, and deliuers to the King one copie, and keepes another. This gentleman was found dead in the feilds,* and sayd to be murthered in Somerset House (then and now the Queenes jointure house), caried into the feilds, and

The Popish plot discouered by Tongue and Oates, &c.

Sir Edmund Berrie Godfrey.

* The spot where the corpse was discovered is said to have been long afterwards called *Green Berry Hill*, after his supposed murderers.

left there. How he came by his death is mistical still, tho' three men haue binn tryed for the murther, and hanged, Green, Berrie, and Hill. The Lord Treasurer aduised the Kinge to leaue the search of the plot to the Parliament, and the papers sent thither next sittinge. There Tongue and Oates make large narrations, accuse the Lord Powis, whoe he sayd was to be Lord Treasurer; the Lord Arundel of Warder, who he sayd was to be Lord Keeper; the Lord Petre, whoe he sayd was to be Leiftenant-Generall of the Armie; the Lord Stafford, who was to be Paymaster to the Armie; the Lord Bellasis was to be the Generall of the Armie, which was to consist of 40,000 men. These Lords were committed to the Tower. Some rendered themselues, hearing of the accusation, others were taken vpon the warrant of the Lord Cheife Justice Scroggs. Whilst Oates and Tongue were makinge theire narratiues noe man was sufferd to goe out; only Sir Francis Winnington and another were sent for the Lord Chief Justice Scroggs, whoe came with them into the House of Commons, where the Speaker tells him the reason of sendinge for him. He replied, he woud [use] his best indeauors, for he feared the face of noe man where his Kinge and countrie were concerned; and soe he withdrew into the Speaker's Chamber, where he tooke informations vpon oath, and sent out his warrants. Whilst this was doeinge, the House sate, and the dore was lockt, and none sufferd to goe out. The narratiue of Oates amazed every man. He sayd, there was not a considerable Papist in England but was in the plott, and he named a great manie. Titus Oates his narratiues are longe and manie, and all in print. He was seuerall tymes in the House of Commons and before the Lords, and still some addition or other. At one tyme he sayd (and I tooke notice of it) that of my soule (says he), his Royall Highnes knew noething of it, (meaninge the killing of the Kinge;) yet, at another tyme, he accused him and the Queene too. Seuerall preists and Jesuits are taken; one Langhorne, a lawyer, and Coleman, and

The Earl of Danbie aduised the search of the plot to be left to the Parliament.

5 lords committed.

Lord Cheife Justice Scroggs takes informations in the Speaker's Chamber.

Oates excused his Royal Highness, and yet after accused him and the Queene.

others. This Coleman was seruant to the Duke of Yorke. He had binn very buisie with the French King's confessor, holding intelligence by letters with him, and with the French embassador here, and other Frenchmen, for aduanceinge monie for the King's occasions, whereby to obteine the dissolueing the Parliament, that House of Commons beinge mortall enemies to the French. Monie must be had too to bribe Parliament men and the King's seruants and ministers. His letters, on search, were taken, produced in euidence, and he was tryed 27th November, 1678, and hanged, drawne, and quartered, as were seuerall Jesuites, Langhorne the lawyer, and manie others, euery one of which denied the fact they were charged with positiuely, at theire tryalls and theire deaths. This discouerie, and the tryalls and executions, putt the kingdome into great heates and jealosies. The Kinge sends his brother the Duke out of England, and tells the Parliament the reason why he did soe. His Royal Highness stayes some tyme abroad, but after a while returnes, and, the distemper not allayed, he goes into Scotland, sent as Commissioner, and sits in theire Parliament, where excellent laws are made for setling the Gouernment. It is to be noted that the Duke had not owned himselfe a Papist, but it was generally beleiued he was such. He had resigned all offices when the Test was inioyned: he had absented from the King's chappell longe before. It was generally sayd his Dutches dyed a Papist. She was daughter of the Earl of Clarendon, the Chancellor; he suspected it in his lifetyme, and wrote excellent letters dissuasive to them both. The Test droue all the Popish Lords out of the House, and tooke away theire votes in Parliament. The fiue Lords were impeached by the House of Commons, vpon the testimonie of Oates, Bedlow, Dugdale, and others, and after some yeares † the Lord Stafford was brought to tryall, the Lords haueing called often

Greene, Berrie, and Hill were tryed for the murther of Sir Edward Berrie Godfrey 5 February, 1678.

Coleman executed. Langhorne tryed 14 June, 1679. Ireland, Pickeringe, and Grove, were tryed 17 December, 1678.*

Whitbread, Harcourt, Fenwick, Gavan, and Turner 13 June, 1679.

The Duke of York goes out of England.

The Test inioyned, and the Popish Lords by it remoued out of the House.

* The late Mr. John Gage Rokewode possessed a painting on copper of these four persons, which he prized highly. It was given to him by a Jesuit priest.

† November 30, 1680.

upon the Commons to proceed against them, and once had appointed a day, the scaffold built in Westminster Hall, but the Commons would not then proceed; but at last, they being called vpon, sayd they would beginn with the Lord Stafford, whome [55] of his Peeres adiudged guiltie. He defended himselfe soe that [31] Lords acquited him. He was executed on Tower Hill, and dyed like a Christian, but denied the fact, as did all the Jesuites, Langhorne, and others. Sir George Wakeman was indited of treason and tryed (he was the Queenes phisitian), as were Marshall and Corker,* 18 July, 1679, and by Oates his testimonie, and Prance, I thinck (I haue not the tryall by me here in towne), was for taking monie to poyson the King. But by this tyme the world begann to vnderstand Oates and the rest soe well that the jurie acquitted him. Sir William Scroggs had sayd, it seemes, at Wakeman's tryall, that he would not hange a dogg vpon such euidence, and was impeached vpon very strange articles (they are in print); but the Lords bayled him, tho' the title of the articles was for treason. He had declared he thought Langhorne the lawyer died an innocent man of the fact he was accused, he haueinge had the curiositie to goe to Langhorne's chamber, in the outward rome whereof Oates swore he saw the Commissions for the Lords lyinge in Langhorne's studie, vpon the deske, which was impossible to be true (as euery one that knew the chambers say), as he judged vpon his sight of the chamber and studie.

Lord Stafford tryed, adiuged guiltie, and executed.

Sir George Wakeman accused, tryed, and acquitted 18 July, 1679.

Scroggs accused and impeached.

Whilst this Popish (Oates his) plot was discoueringe, and seuerall tryinge for it, other plotts were contriueinge (and very neere takeinge effect) by some that called themselues Protestants, the true Protestants. The Earle of Shaftesburie was the principal contriuer, and had drawne in the Duke of Monmouth, the Earle of Essex, Lord Grey of Warke, Lord Howard of Escricke, the Lord Russell, sonn of the Earle of Bedford,

The true Protestant Plot to assassinate the Kinge and the Duke 1678 and 79, and to raise rebellion in England and Scotland.

* William Marshall and James Corker, Popish priests; both reprieved.

Algernoone Sidney, sonn of the Earl of Leicester, Collonel Rumsey, Captain West, and innumerable others, both for an insurrection thro' England and Scotland too; for the Earle of Argile, and a great manie others, had vndertaken for 30,000 at first, after they fell to 10,000, to beginn in Scotland; alsoe others vndertooke to assassinate the Kinge and the Duke. These were Rumbald, Rumsey, West, Wade, Nelthorpe, two Goodenofs, and Ferguson, at both a constant consulter and aduiser with Shaftesburie, and after his death with the Duke of Monmouth. The tyme for the assassination was the King's comeinge from Newmarket. The place was the Righ House, where Rumbold then liued, a place so conuenient for such a villanie as scarce to be found in England; besides the closenes of the way ouer a riuer by a bridge, gates to pass, a stronge hedge on one side, a brick wall on the other. Soe, had not God deliuered his Majestie and his brother out of the hands of the villans, by sending them from Newmarket 2 or 3 dayes before the appointed tyme, this villanie and murder must haue taken effect. But the towne beinge on fier, the Kinge was forced away before he intended; and by that meanes they escaped the bloodie hands of these assassinators, and they came safe to London. The whole historie is printed, and the euidence so full and plaine that impudence it-selfe cannot gainesay it; and yet to see the madnes and follie of the partie! they will seeme not to be conuinced. This was discoursed by one that should haue binn an assassinator; his name is Josiah Keeling. At first the King and his ministers could not beleiue so horrid a designe could enter into any men's harts; but that witnes beinge seconded by another, they sent warrants, and apprehended some, and others fled, Rumsey, West, the Earl of Essex, the Lord Russell, the Lord Howard. Algernoone Sydney, he was tryed 27 of November, 1683, and some others taken. Some were tryed, as the Lord Russell, whoe, as the Observator sayd, confessed the fact but not the crime; or, as it is in the printed

Rye House.

The fier at Newmarket caused the Kinge returne, whereby he escaped the villans.

Keeling discouered the plott.

narratiue, he confessed enough to shew his guilt, but not his repentance. The Earle of Essex cutt his owne throat in the Tower, euen whilst the Lord Russell was at Newgate vpon his tryall. Walcot, Rouse, and others, tryed and executed. The Duke of Monmouth absented himselfe, but, prayinge the King's mercie, had his pardon on his submission to his Majestie and the Duke, with a promise that he should not be produced as a witness. He made his submission to his Royal Highness, protestinge he would draw his sword for him, neuer against him. He subscribed a paper wherein he acknowledged his offence; but, haueinge obteined his pardon, which was speedily passed the Greate Seale by the King's speciall command, he was earnest with the Kinge to haue the paper he had subscribed, least it might preiudice him and some others. After his often desiringe it the Kinge gaue it to him. He had noe sooner gotten the paper from the Kinge but he denied his acknowledgment and confession, and absconds awhile, then getts ouer sea; and after that King's death, haueinge conserted betweene Argile and himselfe in what manner to act in both kingdoms, they part. Argile goes into Scotland. He should at the same tyme haue landed in England, but the winds permitted not. Rumbold and Ayloff, two of the intended assassinators, went with Argile into Scotland, where he indeauoured to raise an armie; but the countrie was not soe forward to rise (or stirr, as the cantinge word is vsed by the Lord Russell), and the King's forces more readie than he hoped to haue found them. He was in a short time, with little trouble, routed and dispersed, and he himselfe taken in a disguise by two or or thre ordinarie soldiers, who had wounded him vpon his resistance, and his runninge into a bogg, sayinge, O! unfortunate Argile. Rumbold beinge pursued, fought stoutly, but beinge wounded, and ouerpowered, he was taken, but would haue prouoked the solders to kill him, yet they would not, but tooke him aliue. Ayloff was alsoe taken, and with a knife ript vp his

Lord of Essex cut his owne throat in the Tower.

Lord Russell tryed, condemned, and executed.

The Duke of Monmouth submits, and is pardoned, but ioynes with Argile and the rest.

Argile taken in Scotland, and executed.

Rumbald and Argile taken with him.

bellie, but not mortallie it seemes. The surgeons cut off Rumbold's arme, least it should gangreene; and they had a mind to carrie him to Edenburgh. The Duke of Monmouth landed at Lyme in Dorsetsheire the 11th day of June, 1685; with him the Lord Grey, Ferguson, Goodenof, Wade, Nelthorpe, and a German, a Brandenburger, about 85 persons in all. They brought some armes, but not enough for his busines. He set out a most malicious, false, and scandalous declaration,* wherein he tearmed the Kinge James Duke of Yorke, callinge him traytor, and layinge to his charge the murder of Sir Edmunberrie Godfrey, the cuttinge the throat of the Earle of Essex, the firing the citie of London, and the poysonninge his brother, Kinge Charles the Second; sayinge he had taken armes, and would admit of noe treatie of peace vntill he had brought him to condigne punishment, &c. After his landinge, within a day or two, he went to Bridgport, commonly called Burford, surprisinge thos of the countrie militia which were there, under the command of Mr. Strangewayes, whoe was killed as his foot was in the stirrup; some he killed, and some he caried away prisoners, and some horse, about 50. Some gentlemen in the confusion gott togeather, and forced him to retreat. His numbers continually increased, soe that if he had armes for those that came to him he would haue put hard for victorie. The militia of Deuon, Dorsetshire, Somerset, and Wilts, and indeed all the militia thro' England was raised. The Duke of Albemarle, vpon the first intimation that Monmouth was at sea, was sent to Exeter, wher his orders were to stay, and raising the militia to secure that countie. The Duke of Somerset, and Duke of Beufort, and the Earle of Pembroke, were sent downe, and

The Duke of Monmouth lands att Lyme in Dorsetsheire.

Sets out a declaration.

Takes Burford, where Mr. Strangeways was killed.

The militia raised. Duke of Albemarle at Exeter.

* It has been asserted that Monmouth signed this paper, of which Ferguson was the author, without even reading the contents. At all events, nothing could justify the charge of fratricide set forth in the Declaration, against the King; and it sealed the fate of the unhappy Duke. Few monarchs probably would have pardoned so grievous an offence, and least of all such a merciless tyrant as James II.

raised the militia in the seuerall counties of theire Leiftenancie, Sir William Portman, Sir Edmund Phillips, Collonel Luterill, raised their regiments; Phillips and Luterill were in Taunton, but their men would not be brought to fight, nor indeed would any of the militia. The true reason was, Monmouth had declared to mainteine the Protestant relligion, and that the Kinge would sett vp Poperie; and this was the true cause the militia would not fight; not a loue to Monmouth, but hatred to Poperie. Vpon Monmouth's approach to Taunton, Luterill was forced to draw his men out of the towne, least they should haue runn from him to the rebells. He entred Taunton, and augmented his number extreamely; he went from place to place, at length he came to Bridgwater, and on Saturday, the fowerth of July, and the next day, which was Sunday, he summoned in the countrie with spades, shovels, pickaxes, &c., as if he meant to fortifie that place, (for the Kinge had sent downe part of his guards, vnder the command of the Earle of Feversham as Lieutenant-Generall, the Lord Churchill, Kirke, and other collonels, whoe were now come within three or fower miles of Bridgwater). He hoped the King's forces would be secure, beleiuinge he intended to fortifie and defend, not offend; and in that Sunday night he marched out of Bridgwater with soe much silence that, tho' some scouts were out, yet he came very neere the King's forces before he was discouered. Feversham's men were incamped in a common, with a ditch before them, pretie broade, but not deepe, which if Monmouth could haue made his men attempt to goe ouer, he had surprised and indaingered the routinge the whole bodie. But Sir Francis Compton, as I am told, with his troope, (tho' Oglethorpe had a knighthood for the seruice,) tooke the alarme, and gaue it to the armie; and they gott into forme, and about day-breake the fight began. Monmouth had in all, of all sorts, 16,000 men at least, whereof 7,000 well armed; and they fought stoutly for a tyme, but the cannon gallinge them, and the horse commanded by the Lord Grey runninge vpon the first charge, theire whole bodie was

The militia would not fight, and the true reason.

Monmouth comes to Bridgwater.

Feversham Leftenant-General with the King's forces.

They fight July 6.

Monmouth's forces 16,000, but not armed all; 7,000 armed.

The horse run at the first.

The whole army routed.

routed, 1,500 or 2,000 killed vpon the place; a great manie taken. The Duke of Monmouth, Lord Grey, and the Brandenburgher, fled away togeather, and on the 8th of the same month, which was 2 dayes after the fight, newes came that Grey was taken, and the next day that Monmouth and the German alsoe. They had all disguised themselues, had tyred and quitted theire horses, and were found hid in brakes and bushes. They were taken with their swords (but made noe resistance) by some of the militia soldiers of Sussex, commanded then by the Lord Lumley, to whome they were brought. Sir William Portman comeinge in, his lordship and Sir William tooke the care and guard of them all three, and on the 13th brought them to Foxhall, where the Lord Dartmouth's regiment

Grey, Monmouth, and a German taken, hid in brakes and bushes.

They are brought to Whitehall; there, at the desire of Monmouth, the King spake with him.

was readie to receaue them. From thence they were caried to Whitehall. Monmouth haueinge desired to see the Kinge, he was at Chiffins's lodgeings, and the Kinge came down to him, as I haue heard, with the two Secretaries of State. He threw himselfe at the King's feete, and begged his mercie! It is sayd he was soe disingenious in his answers to what the Kinge askt of him, that the Kinge turned from him, and bid him prepare for death. He stayd at Mr. Chiffins's lodgeings vntill the tyde serued to carrie him into the Tower. Chiffins had prepared for him a short supper; Grey and the Brandenburger eate with him; on the 15th day he was beheaded on Tower hill. He was attainted by Act of Parliament, and soe there needed only a warrant from the Kinge to the Lord Keeper to seale a writ to the Sherrif to authorise and command him to behead him, which the Lord Keeper did. Grey beinge outlawed in the King's Bench, is reserued vntill that court sitts, where he must appeare, and hath libertie to say what he cann in stay of execution. And the German is not yet indicted, which some thinck cannot be, because he neuer resided here; but sure (at least I thinck,) that is a mistake: we shall know the law next tearme. There were papers, bookes, and monie found about the Duke when he was taken; twentie of the guineas were giuen to the

Thence, so soone as the tyde did serue, they were caried to the Tower, 13th July.

15th beheaded.

Bookes found about Monmouth.

soldier that tooke him, and the papers and bookes were sent to the Kinge; the rest of his monie was returned to him. One of the bookes was manuscript, of spells, charmes, and coniurations, songs, receipts, and prayers, writen all with his owne hand; two other manuscripts, of fortifications, and the militarie art; and in a fowerth booke computes of the yearely expense of his Majesties nauie, and land forces. The name of him that tooke him was Perkin, he had 20 guineas, the other 2 troopers with him had 10 each. From Ringwood (the place were he was taken,) he writ a letter to the Kinge, dated the 8th of July, 1685, which, tho' it be printed, I will here insert.

And monie, part of which was giuen to those that tooke him, besides their shares of the 5,000 pounds reward promised.

"Sir,—Your Majestie may thinck it is the misfortune I now lye vnder makes me make this application to you, but I doe assure your Majestie it is the remorse I now haue in me of the wronge I haue done you in seuerall things, and now in takeing vp armes against you. For my takeing vp armes, it neuer was in my thoughts since the Kinge died. The Prince and Princes of Orange wilbe witnes for me of the assurance I gaue them, that I would neuer stirr against you; but my misfortune was such as to meete with some horrid people, that made me beleiue things of your Majestie, and gaue me soe manie false arguments, that I was fully lead away to beleiue that it was a shame and sin against God not to doe it. But, Sir, I will not truble your Majestie at present with many things I could say for my-selfe that I am sure would moue your compassion, the cheife end of this letter beinge only to begg of you that I may haue that happines as to speake to your Majesty; for I haue that to say to you, Sir, that I hope may giue you a longe and happie raigne. I am sure, Sir, when you heare me you wilbe conuinced of the zeale I haue for your preseruation, and how hartilie I repent of what I haue done. I cann say noe more to your Majestie now, beinge this letter must be seene by those that keepe me. Therefore, Sir, I shall make an end, in begginge of your Majestie to beleiue soe well of me that I would rather dye a thousand deaths then excuse

The Duke of Monmouth his letter to the Kinge from Ringewood.

any thinge I haue done, if I did not really thinck my-selfe the most in the wronge that euer any man was, and had not from the bottom of my hart an abhorrence for those that put me vpon it, and for the action it-selfe. I hope, Sir, God Almightie will strike your hart with mercie and compassion for me, as he hath done mine with the abhorrence of what I haue done. Therefore I hope, Sire, I may liue to shew you how zealous I shall euer bee for your seruice; and, could I say but one word in this letter, you would be conuinced of it; but it is of that consequence that I dare not doe it. Therefore, Sir, I doe begg of you once more to let me speake to you, for then you wilbe conuinced how much I shall euer bee,

Your Majesties most humble and dutifull,

MONMOUTH.

His excuse for the Declaration

I haue binn told that the Kinge askt him how he could expect pardon that had vsed him soe, "To make me a murderer and poysoner of my deare brother, besides all the other villanies you charge me with in your declaration!" To which Monmouth replyed, "Ferguson drew it, and made me signe it before euer I reade it." That soe angerd the Kinge that he sayd, "This is triflinge; would you signe a paper of such consequence and not reade it?" Soe he turned from him, and bid him prepare to dye. And after what manner he did prepare, and how he died, I will now tell, as it is published,* attested by the two bishops, Dr. Francis Turner, Bishop of Ely, and Dr. Thomas Kenn, Bishop of Bath and Wells, Dr. Thomas Tenison, and Dr. George

* There is a rare pamphlet published at London, in 1685, for Robert Horne, called "An Account of what passed at the Execution of the Duke of Monmouth," from which these details were probably copied. The pamphlet was reprinted in Somers's Tracts, vol. i. p. 216, 1st edition.

The conduct of these divines was at the time much called in question, and several pamphlets were written, in which they were alternately attacked and defended. It is difficult to deny that they shewed a want of feeling towards the unhappy sufferer, of whom, with all his faults, we may remark, that

"Nothing in his life
Became him like his leaving of it."

Hooper, Sir William Gostlin, and Sir Peter Vandeput, the two Sheriffs. These were on the scaffold [with] him. The bishops and the two doctors the Kinge had sent to him to prepare him for death, whome the Duke desired to accompanie him to the place of execution, which they did, and by the way renewed those exhortations they had vsed to moue him to a perticular repentance. When vpon the scaffold he begann; he sayd, "I shall say but very litle; I come to dye. I die a Protestant of the Church of England." The diuines sayd, "My Lord, if you bee of the Church of England you must acknowledge the doctrine of non-resistance to be true." He sayd, "If I acknowledge the doctrine of the Church of England in general, that includes all." They replyed, "It is fitt to owne that doctrine perticularly with respect to your case." He answered as before (tho' much prest by the bishops and diuines). Then he spake as if premeditated: "I haue had a scandal raised vpon me about a woeman, a lady of virtue and honor; I will name her, the Lady Henrietta Wentworth. I declare that she is a very virtuous and godly woeman. I haue committed noe sinn with her, and that which hath passed betwixt vs was very honest and innocent in the sight of God." The diuines replyed, "In your opinion, perhaps, Sir; but this is not fit discourse in this place." The Sherrif Gostlin sayd, "Sir, were you euer maried to her?" He replyed, "This is not a tyme to answer the question." The Sherrif sayd, "Sir, I hoped to haue heard of your repentance for the treason and bloodshed which hath binn committed." He replyed, "I dye very penetent." The diuines vrged again, "It is fitt to be perticular; and, consideringe the public euil you haue done, you ought to doe as much good now as possibly you cann by a publique acknowledgment." He sayd, "What I haue thought fit to say of publick affaires is in a paper which I haue signed; I refer to my paper." The Diuines sayd, "My Lord, there is noething in that paper about resistance, and you ought to be perticular in your repentance, and haue it well grounded. God giue you true repentance!" He sayd, "I dye

How he behaued himselfe to the diuines on the scaffold.

Justifies his liueinge with the Lady Henrietta Wentworth.

very penitent, and dye with great cheerfulness; I shall goe to God." They sayd, "My Lord, you must goe to God in his owne way. Sir, be sure you are truly penitent, and aske forgiuenes of God for the manie you haue wronged." "I am sorie (sayd he) for euery one I haue wronged; I forgiue euery bodie; I haue had manie enemies, I forgiue them all." The Diuines—"Sir, your acknowledgment ought to be publick and perticular." He replyed, "I am to dye; pray, my Lord; I refer to my paper." The Diuines—"They are but a few words we desire; wee only desire an answer to this point." The Duke sayd, "I cann bless God that he hath giuen me so much grace that for these two yeares last past I haue led a life vnlike my former course, and in which I haue bin happie." The Diuines—"Sir, was there noe ill in these two yeares? In these yeares these great euills haue happened, and the giueinge publick satisfaction is a necessarie part of repentance; be pleased to owne a detestation of your rebellion." He replyed, "I begg your Lordship that you will stick to my paper." Rep.—"My Lord, as I sayd before, there is noething in your paper about the doctrine of non-resistance." Monmouth—"I repent of all things that a true Christian ought to repent of; I am to dye; pray, my Lord." The Diuines—"Then, my Lord, wee cann only recommend you to the mercie of God; but we cannot pray with that cheerefulnes and encouragement as we should if you had made a perticular acknowledgment." Monmouth—"God be praised, I haue encouragement enough in my-selfe; I die with a cleere conscience; I haue wronged noe man." They—"How, Sir! noe man? Haue you not binn guiltie of inuasion, and of much blood which has binn shed, and it may be of the loss of manie souls who followed you? You must needs haue wronged a great manie." Monmouth—"I doe, Sir, owne that, and am sorie for it." The Diuines—"Giue it the true name, and call it rebellion." Monmouth—"What name you please, Sir; I am sorie for inuadinge the kingdome, and for the blood that has binn shed, and for the souls that may haue binn lost

He hath done noe euill these 2 yeares he says.

The Rebellion, and haueinge two wiues (at best), is without euill, it semes, in his relligion.

by my meanes; I am sorie it euer hapened." (Which he spake softly, sayes the printed paper.) The Diuines—"Wee haue noething to add, but to renew our exhortations which we haue made frequently to you, to giue some satisfaction for the public iniuries to the kingdome. There haue binn a great many liues lost by this resistance of your lawfull prince." Monmouth—"What I haue done has binn very ill, and I wish with all my hart it had neuer beene; I neuer was a man that delighted in blood, I was very farr from it; I was as cautious in that as any man was. The Almightie knows how I now dye with all the joyfulnes in the world." The Diuines—"God grant you may, Sir; God giue you true repentance." Monmouth—"If I had not true repentance I should not soe easily haue beene without the feare of dyinge; I shall dye like a lambe." The Diuines—"Much may come from natural courage." Monmouth—"I doe not attribute it to my owne nature, for I am fearefull as other men are; but I haue now noe feare; you may see by my face; but there is somethinge within me which does it, for I am sure I shall goe to God." The Diuines—"My Lord, be sure vpon good grounds. Doe you repent you of all your sins, knowne or vnknowne, confessed or not confessed; of all the sins which might proceede from error in judgment?" Monmouth—"In generall for all: I doe, with all my soul." The Diuines—"God Almightie of his infinite mercie forgiue you. Here are great numbers of spectators. Here are the Sherriffs: they represent the great citie, and in speaking to them you speake to the whole citie: make some satisfaction by owninge your crime before them." Here he was silent, and they all went to prayers, Monmouth and the companie kneelinge; and whilst they were on their knees he was againe exhorted to a true and thorough repentance. After they were vp he was exhorted to pray for the Kinge, and was askt whether he did not desire to send some dutifull message to the Kinge, and to recommend his wife and children to his Majesties fauor. Monmouth.—"What harme haue they done? Doe it, if you

Seemes enthusiastick.

With what difficultie he says Amen to the prayer for the King.

Would make noe request for his wife and children.

please: I pray for him and for all men." The Diuines—"O Lord, shew thy mercy vpon us!" Monmouth—"And grant us thy saluation." The Diuines—"O Lord, saue the Kinge!" Monmouth—"And mercifully heare vs when wee call vpon thee." The Diuines—"Sir, doe you not pray for the Kinge with vs?" They repeat, "O Lord, saue the Kinge!" Monmouth, after some pause, sayd "Amen." Then he spake to the executioner concerninge his vndressinge: he would haue noe cap, &c. As he was vndressinge the Diuines sayd, "My Lord, you haue binn bred a soldier. You will doe a generous Christian thinge if you goe to the rail and speak to the soldiers, and say that here you stand, a sad example of rebellion, and intreat them and the people to be loyall and obedient to the Kinge." Monmouth—"I haue sayd I will make noe speeches. I will make noe speeches. I come to dye." They vrge him, sayinge, "Tenn words wilbe enough." Monmouth, calling his seruant, tooke somethinge like a toothpick-case. "Here (says he), giue this to the person to whome you are to deliuer the other things." He sayd to the executioner, "Here are six guinies for you. Pray doe your busines well: don't serue me as you did my Lord Russell. I haue heard you strooke him three or fower tymes. Here (to his seruant), take these remaininge guinies, and giue them to him if he does his worke well." And to the executioner he sayd, "If you strike me twice I cannot promise you not to stirr." Then he lay downe, and soone after raised himselfe vpon his elbowe, and sayd to the executioner, "Prithee, let me feele the ax." He felt the edge, and sayd, "I feare it is not sharpe enough." Then he lay downe, the Diuines prayinge earnestly for the acceptance of his repentance, his imperfect repentance, and commended to God his soule and spirit. Soe the executioner did his work; but I heare he had fiue blowes. Soe he died: I doe not dare to giue any judgment.

The Paper he left, signed 15 July, 1685, the day he was executed on Tower Hill.

The paper which he referred to is this. "I declare that the title of Kinge was forced vpon me, and that it was very much contrarie to my opinion when I was proclamed. For

the satisfaction of the world, I doe declare that the Kinge told me he was neuer married to my mother. Haueinge declared this, I hope that the Kinge who is now, will not let my children suffer on this account. And to this I put my hand, this 15th day of July, 1685. MONMOUTH.

"Declared by himselfe, and signed in the presence of vs, FRANCIS ELY, THOMAS BATH AND WELLS, THOMAS TENISON, GEORGE HOOPER."

Whilst he stayd at Mr. Chiffins's lodgeings in Whitehall he did write letters to the Earl of Rochester, Lord Treasurer, to the Earle of Clarendon, Lord Priuie Seale, and others, to intercede to the Kinge for his life. A vaine expectation certainly, after he had not only inuaded the kingdom, taken the title of Kinge himselfe, and in his Declaration charged the Kinge with murder, fratricide, and those other villanies therein mentioned; but I iudge his designe was to haue gained another opportunitie to have tryed once againe for the crowne, which he thought to get by outwitting all men; for certainly it was not feare of dyinge made him soe sollicitous to liue. One William Disinie,* a barrister-at-law, was indicted, and found guiltie of treason, for printinge that Declaration set forth by Monmouth. He was executed the 25th day of June, 1685.

Disnie was tryed for treason, printinge the Declaration set forth by Monmouth.

Francis Goodenough, and seuerall others, are taken of the first complotters, and manie that were in actuall armes; some that were aduancers of monie, others that were ingaged otherwise, and priuie and consentinge to the rebellion. Ferguson is not yet taken, and some say he is fled into Holland. A Commission is sent down into the West Countries, Devon, Dorset, Somerset, Wiltshire, and fiue Judges, that is, the Lord Chief Justice Jefferies, the Lord Chiefe Baron Mountague, Justice Withens, Judge Lewin, and Baron Wright, are gone Judges of Oyer and Terminer. The Lord Shaftsburie, the maine contriuer, gott away, and dyed in the Low Countries. Walcot and Ferguson went with him, but came back againe. But the nar-

The narratiue is printed.

* Disney.

ratiue and the euidence is in print, compiled by the Bishop of Rochester, Dr. Sprat (they say), by the command of the Kinge that is lately dead, but published since by command of His present Majestie, and I hope it wilbe inlarged with a relation of what hath since that King's death binn acted.

Oates indicted for periurie; found guiltie.

Oates hath binn indicted for periurie, and found guiltie in two indictments. In one the perjurie assigned was for swearinge he was at a consult with seuerall Jesuites at the White Horse tauerne in the Strand on such a day, whereas in truth he was not then in England, but at St. Omer's. The periurie in the other assigned was, in swearinge that Ireland (one of the Jesuites indicted and executed) was in London such a day, whereas Ireland was at that tyme in Staffordsheire. He was found guiltie vpon both indictments, and had judgement to stand in the pillorie in seuerall places, to be whipt one day from Algate to Newgate, another day from Newgate to Tyburne; to stand in the pillorie yearly duringe his life on certein dayes (the dayes on which the periurie was assigned to be committed), fined, and imprisoned duringe his life. The tryalls and judgments are printed.

Bedlow, another of the witnesses, as very a rogue, if he sayd true himselfe, as any of the pack, if robbinge on the highway, breaking houses, cheatinge and cousenninge [make one]. I heard him when he came into the House of Commons first to make his narratiue, standing at the barr. He begann thus: "Mr. Speaker, I haue binn a great rogue; but had I not been soe I could not haue knowne these things I am now about to tell you." This man was wittie and impudent, and certeinly a villain; yet he dyed in his bed at Bristoll, and they say iustified what he had sworne to be true.

Dangerfeild indicted for a libel.

Daingerfeild, another euidence, was indicted for a libell, found guiltie and sentenced to stand in the pillorie, to be whipt one day from Algate to Newgate, another day from Newgate to Tyburne. In the returne from Tyburne, as he came in a coach, guarded with the Sherrif's officers, in Holborne, one

Mr. Francis, of Grey's Inn, came to the coach side to see and speake with him, with whome yet he had noe busines nor acquaintance. He askt Daingerfeild "how he liked his race, and how he did after his heats;" to whome Daingerfeild replyed, "You are the sonn of a whore." Francis thereupon, haueinge a small caine in his hand, thrust at him, which rann into his eye, and he died next day. Francis was indicted of murder at the Old Bailie, was found guiltie, and was hanged. It may well be presumed Francis had noe designe of killinge, for he had a sword by his side, which was a more likely thing to kill him then that litle caine, indeed, the smallest that euer I see vsed, and without any iron ferule or any thinge at the end; and Francis his wife was by too. But Daingerfeild was under protection of the Kinge and his officers, and had sufferd the law, and that was a great aggrauation of the crime, I suppose, for certeinly there was noe intent to kill him. This fellow had binn a highway theife and a cheat, had binn burnt in the hand, and whipt; a wittie rogue too, and now at last pretended relligion. But there is an end of him!

He was killed by a thrust with a small cane in the eye, by one Francis, who was tryed and executed for the murder.

I tooke a house in Greeke street, in the Soho, for a year from Midsummer, 1685, havinge beene in Brooke streete in Holborne, at a lodginge, since a month before Christmas, saue only when I went to the elections.

On the 19th of May, the day of the sittinge of the Parliament, the Duke of Ormund, Lord Steward, came into the Inner Court of Wards, and there caused his commission to be read, impowringe those therein named to giue the oathes of supremacie and allegiance to the members of the House of Commons; and, haueinge giuen the oathes to the commissioners, he left the commissioners to sweare the rest. In this commission power was giuen to one, two, or more, whereas euer before it was wont to be to two or more; but this was more expeditious, tho' not so safe, it may be, for it is easier to corrupt one then more. The members, as they were sworne, went into the house, and about eleuen of the clock the Kinge (James II.) came into the House

The meeting of the first Parliament of King James II.

The Commons were required to choose a Speaker, and present him for the King's approbation at 4 of clock that afternoone.

of Lords, and sent for the Commons by the Black Rod to attend him immediately in the House of Lords, which was obeyed (but I went not, beinge vnable to croud, and haueinge seene the way and ceremonies before). Sir Francis North, Baron of Guilford, Lord Keeper, haueinge on his knee receaued command from the Kinge, told the Commons it was his Majesties pleasure they should goe togeather, and make choice of a Speaker, and present him at 4 of clock that afternoone for his Majesties approbation. At their returne to the House, the Earle of Midleton (a Scotchman,) Secretarie of State, put the House in mind of his Majesties command, named Sir John Trevor as a fitt man to be their Speaker, whoe, beinge called on generally, that Lord, and Mr. Henry Savill, the Vice Chamberlin, both Priuie Councellors, tooke him by the hands, (and not sufferinge him to make his excuse in his place, as was euer vsed formerlie,) conducted him vnto the chaire, where he made excuses blind and lame enough; askt leaue to applie to the royall throne to command a new choice, or, as I thinck he sayd, leaue to disable himselfe, &c. Some sayd "Noe, noe;" but Sir Christopher Musgrave applyed to the House, and sayd he hoped they would not denie that which had euer been graunted other Speakers his predecessors; and soe leaue was granted to him as he desired. Soone after 4 in the afternoone, his Majestie sent for the Commons by the Black Rod into the House of Lords, where (as I was told, for I was not there, for the reason aboue sayd) the Speaker acquainted his Majestie of the choice the Commons had made; and, disablinge himselfe, indeauered to obteine his Majesties command to make a better choice. But the Lord Keeper, haueinge on his knees askt and receaued the King's pleasure, told him and the Commons that his Majestie approued theire choice. The Speaker made the vsual requests, which were granted by the Kinge; and soe the Speaker and the rest returned with the mace before him, which the Serjeant at Armes caried priuately to the Lord's House, but returned with it on his shoulder. The Speaker

Sir John Trevor chosen, at the nomination of the Secretarie of State, the Earle of Midleton.

The choice approued.

haueinge taken the chaire, held a paper in his hand, which I thought had been his Majesties or the Lord Keeper's speech (it had binn vsuall since the returne of the last Kinge, whoe commonly read what he had to say, and the Speaker, that he might not misrepeat, obteined copies), but it was what he intended to say himselfe. He told vs he had not preuailed with his Majestie, whoe had confirmed their choice, tho', as he conceaued, it had proceeded rather out of their affections then their judgments. His words were not manie, yet he read all he sayd to vs, a thinge very unbecomeinge the chaire, and which I neuer did before see. Indeed, there vsed to be more tyme betweene the chooseinge and the presentment, and that might haue been some tollerable excuse, if he had not known he should be named and approued too. It beinge generally knowne that the Lord Keeper had recommended Sir Thomas Meeres, and the Lord Chief Justice Jefferies Trevor, and the Kinge had fixed upon Trevor; besides, he had furnished himselfe with chambers (which euery bodie knew, he haueinge hired Sir Thomas Forster's lodgeings in the Temple). But what he sayd was short, as I haue sayd, and might haue binn vtterd in a breath, vnles it had binn suited to his memorie. He beinge seated, and it beinge eueninge, and because before the House enter vpon any busines, by the late Act of Parliament, the Speaker and the members are to take in the House the oathes of supremacie and allegiance, and to make and subscribe the declaration in that Act mentioned, the House adiourned to the morning. The next day, after prayers, the Speaker standing vp by the chaire, tooke the oathes, and made and subscribed the declaration; and after him, the members beinge called to the table as the counties stand alphabetically, they likewise tooke the oathes and subscribed the declaration; and about 4 of clock adiourned to the next day, that the rest might doe the like. I, supposeinge the day would be spent in that worke, went not to the House; but I was informed that, after they had gone through all the counties, the Speaker

The Speaker reads his owne speech out of a paper.

The Speaker and members take the oathes and subscribe the declaration.

stood vp, and acquainted the House with the dainger and penaltie if any presumed to sit or act before he had taken the oathes and made and subscribed the declaration, and hoped, if any member had not done it, he would now come and doe it, before the House entred vpon any buisnes; and soe paused awhile. And, none comeinge, he rose vp, and told them the vsuall course was to open the Session with reading a Bill; and he sayd the clerke had one readie. Where-vpon Sir Richard Temple stood vp, and, after a short appologie, minded the Speaker that his Majestie had not yet told vs the reason why he called vs togeather, and vntill that was done it was neuer knowne that the House entred vpon any buisnes; therevpon the House adiourned. This was noted as another false step of the Speaker. The next day, 22d of May, the Kinge, by the Black Rod, sent for the House into the Lords' House, where he spake.*

The Speaker would haue read a Bill, but was minded that the King had not told the cause of summons.

At the return of the House, the Speaker told the House his Majestie had told the cause of summons of this Parliament, which he beinge by the dutie of his place to giue account of, distrustinge his owne memorie, and to preuent all mistakes, he had obteined a copie of what his Majestie sayd, and askt if he should reade it, which all assenting to, it was reade, and was the same aboue written, the House beinge all bare-headed all the while; which ended, Mr. Strangeways † moued that the House would grant the King's demand, which was seconded by Sir [William] Clifton‡ and thirded by Sir Thomas Dyke,§ my nephew, all three knights of the shire, and was layed by the Lord Preston and others at Court. Some antient members minding the House that the vsual way of proceeding was to open the Session by reading a Bill; and when a supplie was demanded it had not beene vsual to enter on it the same day, but to appoint a day for takeinge the matter of supplie into consideration, and

Some members moue irregularly for supplie, noe bill haueing binn read, which was constantly done at the openinge of the Sessions.

* The Speech, being printed, is omitted.

† Thomas Strangeways, returned for Dorsetshire.

‡ Serving for Nottinghamshire.

§ Knight of the shire for Sussex.

then, after a supply was voted in the House, the House turned it-selfe into a committee of the whole House, and there it was agreed what the supply should be, and how it should be raised. Wherevpon a Bill was read, and, the motion beinge renewed for a supply, the House immediately went into a committee of the whole House, which not agreeinge on a chaireman, some nameinge Seamour, others the Sollicitor Finch, the Speaker takes the chaire, and put the question for the Sollicitor, which was caried, and then he left the chaire again by a question; and the House beinge turned into a committee, the Sollicitor tooke the chaire (which is the Clerk's chaire at the table, the Speaker's chaire beinge empty and he sitting as a member with the rest). Here I cannot omit obseruing that these gentlemen I mentioned before, which moued for a supply, did it very irregularly, euen before the Kinge formally demanded it; neuer done before; and therefore the next day the Kinge sent a message by the Secretarie and demanded it. But such was the eagerness of the House to comply with the Crowne, and such was the ignorance (shall I say, or non-acquaintance rather) of the mannagers which appeared, I meane the Earle of Midleton and the Lord Preston, whoe putt these countrie gentlemen on the motion (and yet the Lord Preston and Mr. Strangways had serued longe in former Parliaments). I must note alsoe that the Speaker tooke the chaire of the House without order of the committee, which he should not haue done. I neuer knew it done but once, by Mr. Seamour; and that indeed was necessarie, and briskly done, else I thinck that committee had gone togeather by the eares, and had drawne theire swords at one the other; for words of reflection passed betwene the Lord Cavendish (now Earle of Devonsheire) and Sir John Hanmer, and it was about a supply too. Parties were taken, and manie on both sides left theire seates, as the two gentlemen had done, and were gotten to the lowest bench next the floore, and began to lay their hands on their swords. But Seamour, starting vp, and takeinge the chaire, informed the House the reason; soe the House gaue him

The motion for supply renewed.

The house in a committee agree not on a chaireman, the Speaker takes the chaire of himselfe, and puts a question for a chaireman.

Seamour once had done soe; but that was a much greater cause.

power to lay the commands of the House on them both not to prosecute the matter farther, but to attend him on the risinge of the House. He tooke them both into his coach to dinner with him, and there tooke vp the matter. This by the by. Now I will return and tell what was done at the returne of the House from the Kinge, which was a vote of thancks to his Majesty for his gracious speech, to which the concurrence of the Lords was desired; which was agreed to, and his Majestie appointed 4 of clock that afternoone to receaue the votes; which beinge done, the King's answer was reported to the House, which was that his Majestie accepted kindly our thancks, adding that he would performe what he had promised. At the committee of the whole House, order was giuen for a Bill to setle the same reuenue on this Kinge for his life which was setled on the last Kinge for his. Let me note here, that in the interual betwene the King's death and the sittinge of the Parliament the Kinge had taken the Customs and the Excise. The Customes, tho' by an Act made and yet in force, it was made a præmunire to leuie the Customes for longer tymethen they are granted by Act of Parliament, yet necessitie compelled the Kinge to take them, for it was not possible for him to subsist and manteine the gouernment without them; and the collectors were safe, for it was in the King's power to pardon the præmunire; besides it was necessarie euen for trade's sake, and the merchants were desirous they should be payd, for, had there been a free port but for one month, our owne men and forreigners would haue poured in such quantities of all sorts of commodities that the whole trade would haue been spoiled for some years. All the Kings since they were first payd haue taken them before any grant was by Parliament to them. These were sound and vnanswerable reasons for that, but the Excise was a new thing in England, layd first by the rebellious Longe Parliament; and since the restauration of King Charles the Second one moitie was granted to him and his heires for euer, the other moitie but for his life. But because in one of these Acts (that which grants

The House giue the King thancks for his gracious speech.

The Commons ordered a Bill for the setling on this King for his life what was setled on his brother for his life.

The King had taken the Customes and half of the Excise before the meetinge of the Parliament.

to the King for life, 12 Car. 2.,) a power was giuen to the Lord Treasurer, or Commissioners of the Treasurie, to make and grant all or any part of that reuenue by lease, as may be most for the aduantage of the reuenue, for any tearme not exceeding three yeares. The Commissioners made a lease of the whole Excise for 3 yeares, rendring a rent at the full value, to Sir Peter Apslie, Sir Beniamin Bathurst, and another: this lease was made after the Kinge was sick, and but a day or two before he dyed. Some brewers refused to pay that moitie which was granted for life, wherevpon the Kinge demanded the opinion of the Judges whether the lease were good and valid in law or not. There was some difference in opinion amongst them; fower of them thought it could not bee good, but eight beinge for the validitie of it, the Kinge puts out his proclamation, recitinge the opinion of the Judges, and commands the payment of the whole to the Lessees, which was obeyed generally. On the 23rd of May the Sollicitor presented the Bill for setlinge the reuenue on the Kinge for his life, which was read, and ordered to be read againe on Munday. The same day the Kinge sent to the House the short declaration, mentioned by his Majestie to be set out by Argile; which beinge read, the House vnanimously voted, *nemine contradicente*, that they would assist his Majestie with their liues and fortunes against Argile, and all other rebells whatsoeuer; and by the Priuie Councillors members of the House asked leaue to attend his Majestie with that vote. The Kinge appointed fower of clock that afternoone in the Banquettinge house at White Hall, which was done accordingly, to which the Kinge gaue this answer: "I could expect noe less from a house soe composed as, God be thanked, you are. I relie on the assurances you haue giuen me, which are the naturall effects of your beinge monarchicall and Church of England men. I will stand by it, and all such; and soe supported, I haue noe reason to feare any rebells or enemies I haue or may haue." Vpon the said Munday the 25th of May the

The Excise was taken vpon the opinion of the Judges.

The Sollicitor presents the Bill, which was read 23rd.

The King sent Argile's declaration to the House.

The vote thereupon.

The King's answer to that vote.

The Bill read the 2nd tyme 25th; committed, reported, ingrossd.

Read the 3rd tyme 24th, and sent vp to the Lords.

Bill was read the 2nd tyme, referd to a committee of the whole house, reported, and ordered to be ingrossed. The next day it was read the third tyme, passed, and sent vp to the Lords. Their lordships made all speed possible, and on the 30th of May his Majestie came into the Lords' House to pass it. The Lords' clerkes had (as is alwayes to be with bills of ayd which come only from the grant of the Commons,) deliuered the bill after the Lords had passed it, vnto the Speaker; and when the Kinge sent by the Black Rod for the House, the Speaker presented it with a speech, (which I haue not by me,) wherein he sayd, That the Commons, relyinge intirely on his Majestie's word for the support of relligion as established, and our liberties and properties, had granted his Majestie the ayd he demanded. I will get the speech, for it is our excuse for the hast wee made, before wee had done any thing for securitie of the Protestant relligion, libertie, and propertie.

The Speaker.

The King's speech at passing the Bill.

At the passinge the bill the Kinge spoke thus.*

Imposition on wine, vinigar.

This occasioned the grant of the imposition vpon all wines and vinegar imported betweene the 24th day of June, 1685, and the 24th day of June, which shalbe in the year 1693; and

Alsoe another on tobacco and sugar.

alsoe another grant of an imposition vpon all tobacco and sugar imported betweene the 24th day of June, 1685, and the 24th day of June, 1693.

The landinge of the Duke of Monmouth at Lyme occasioned a Bill for attaintinge him of treason.

The Kinge giueing notice to the Houses of the landing at Lyme of the Duke of Monmouth the 11th day of June, (as hath been sayd,) the House tooke the matter into consideration, and ordered the bringing a Bill for the attaintinge him of treason, which the Sollicitor Finch, by order, withdrawinge, prepared immediately, and presented it to the House, whoe read it the first and 2nd tyme, ordered the ingrossinge, which was done against the afternoone, the House sittinge purposely, when it had the third readinge, was passed, and sent vp to the Lords. And an address presented to the Kinge to sett a reward of

* The speech is omitted, having been printed elsewhere.

5,000*l.* for any that should bringe him* in, aliue or dead. But the Kinge deferred that vntill the Bill was passed. Then by proclamation takeinge notice that he was landed at Lyme, and in open rebellion, and attainted of treason by Act of Parliment; and, therefore, at the request of his Commons, he proposed 5,000*l.* as a reward for any that brought him aliue or dead. This rebellion gaue cause to the Commons towards supplyinge his Majestie to suppress the same, with an imposition vpon all East India linnen, on all wrought silks from thence, and on all wrought silks from France and Avignion, and vpon all wrought silks from any other place, and vpon all single brandie, and all brandies aboue proof, imported, and on all home-made spirits and stronge waters, from the first day of July, 1685, and before the first day of July, 1690; for all French linnen imported, duble the duties in the book of rates; for all calicoes and other Indian linnen x*l.* for euery c*l.* value thereof; for all wrought silks and other manufactures of India mixed with herba, or silk and thread, or cotton, x*l.* for euery c*l.* value; for all wrought silks and other stuff manufactured in France or Auignion, x*l.* for euery c*l.* value; for euery gallon of single brandie or stronge waters imported within that aforesaid tyme viij*d.* ouer and aboue the duties of excise and customs alreadie payable for the same; and for euery gallon of stronge water aboue proof, comonly called duble brandie, two shillings ouer and aboue the duties of excise and customs it alreadie payes; for euery gallon of stronge waters, aqua vitæ, or spirits of the 2d extraction, payable for the same. This the House adiudged a sufficient fund for credit to borrow 400,000*l.*, which was thought necessarie for the suppressing that rebellion, the success of which I haue alreadie set forth, but I hope a more perticular narratiue wilbe made and printed.

A reward of 5,000*l.* to any that brought him in, aliue or dead.

This occasioned the imposition on all East India lynnen, &c.

The Parliament was adiourned from the 2d of July to the

The Parliament adiourned from

* Monmouth.

the 4th of August to 9th of November, 1685.

4th of August, and then adiourned againe to the 9 of Nouember. In this manner, the Lord Keeper* beinge ill, had leaue of his Majestie to retire into the countrie; but before he went he had sealed a commission to the Earle of Rochester, Lord Treasurer, to supply the place of Speaker in his absence. His Lordship signified to the Lords the King's pleasure for the adiournment, and the Earle of Midleton (after the Speaker had taken the chaire, and a Member whoe was present had sworne and subscribed the Declaration,) told the Speaker he had a message from his Majestie in writinge which he desired to present, and it was, that his Majestie's pleasure was that the House did adiourne to the 9th day of November next, which was done immediately by the Speaker.

The Earle of Arlington, Lord Chamberlin, died a Papist. Lord Aylesburie succeeded him, but enioyed it not longe.

About this tyme the Earle of Arlington, Lord Chamberlin, died, a Roman Catholick, and they tell this storie of him. That day that he dyed he askt his phisitian if there were noe hope left of his life; whoe sayd he did see none; he thought he would die verie speedilie. Then sayd my Lord, "Fetch me a preist, for I am a Roman Catholick." His seruants were amased, but he sayd he would haue a preist fetcht; "Yet," says he, "I will not haue it knowne vntill I am dead." Soe he had a preist, was absolued, and soe he died of that Church, tho' he had receaued the Sacrament very often, had taken the Test, where he renounced Transubstantiation, the worshipinge of the Virgin Marie, &c. seuerall tymes as a Peere in the Lords' House, and as the King's seruant, both in the last King's tyme and in this present King's too.

The Earl of Clarendon declared Leiftenant of Ireland.

The Kinge declared in Councill his royall pleasure to be, that the Earle of Clarendon, Lord Priuie Seale, shalbe his Lieutenant of Ireland.

The Lord Keeper, the Lord North, died.

The fifth of September, beinge Saturday, the Lord Keeper, Francis Lord North, Baron of Guilford, died at his house in

* Sir Francis North, created Lord Guilford in 1683.

Oxfordsheire,* and his brothers, Sir Dudly and Mr. Roger North, brought the Great Seale to his Majestie at Windsor the day followinge.

The 30th of July the Earle of Sunderland sent a letter to the Duke of Albemarle, which was this. "The Kinge commands me to acquaint your Lordships that he would haue you giue order for an estimate to be forthwith made of the expence of keeping vp the Militia within your Lieutenancie as longe as by law they may be kept togeather in one yeare, and to transmit the same forthwith to me. I am, my Lords, your Lordships' most faythfull and most humble seruant, SUNDERLAND." Estimate of the charge of the militia for a yeare in euery countie.

I happened to be present with his Grace at Newcastle House, in Clerkenwell, when this letter came, which, when he had pervsed, he deliuerd to me, and bad me take care of the buisnes, and added, Wee must not vndervalue it. I replyed, Wee must not ouervalue it, for the designe is visible. Well, sayd he, now the Kinge was displeased with the militia in generall, and that the behauiour of those in the West gaue him iust cause; wherefore it was conceaued he would make noe more vse of them, but haue the monie that expence came to, and manteine forces in euery countie proportionable; but that must be by Act of Parliament, and wee shall heare more of that matter next meetinge, possibly. The drift of the letter.

That day which this letter came to the Duke, I went with his Grace to the Kinge. He had promised to deliuer a petition for Mr. Cadmore to the Kinge. There was alsoe that day a Chapter held for electing the Earle of Feversham into the Order of the Garter in place of the Lord Chamberlaine.† Soe soone as the buisnes was ouer, his Grace spake to the Kinge, of what I know not; but the Lord Lucas, whoe was in the bedchamber, came to me, and told me the Kinge had talked earnestly to the Duke, and jobed him (that was the word) soe that the teares stood in his eyes. Soone after, the petition was Duke of Albemarle. Feversham made Knight of the Garter.

* Wroxton. † The Earl of Arlington.

deliuered, and I was called to informe his Majestie fully of the matter and proceedings, which I did; but after I came away, the Duke stayinge at Court that eueninge, he tooke occasion to aske the Kinge what post he had now (for Feversham was made Lieutenant-General). The Kinge told him he was the First Collonell. But, Sir, said he, I had a patent to command all the forces, and I know not how to serue vnder those I have commanded. (There were seuerall Brigadeers which must have preceded his Grace, as Sackvill, Kirke, Fenwick, and others.) He added, If your Majestie please, you may see my commission. The Kinge replyed, That is ended with my brother his life. If your Majestie please, you may take my commission, and conferr it on some bodie you thinck better of. The Kinge sayd, I would not haue you quitt my imployment. I will not take your commission; but thinck better on it—sleep vpon it. The next day he came to the Kinge with his commission, and desired his Majestie to conferr that honor on some bodie he had a better opinion of, and to giue him leaue to retire, which the Kinge did; and soe that troope and command in the Guards which the Duke of Albemarle had, the Earl of Feversham hath. His Grace resigned then alsoe all the military commands and commissions, that of Lieutenant of Devonshire, and of Joint Lieutenant with the Earl of Oxford, of Essex. He wrote a very handsom letter to the Vniuersitie of Cambridge, wherein he told them that he was retired from Court, and soe not capable to serue them as he desired; wherefore, during his retirement, he recommended them to the care of the Archbishop of Canterburie. He yet is contented, if the King please, to continue in commission of the peace and Recorder of Colchester. I confess I cannot blame the Duke absolutely, tho' noe man ought to be angrie with God, nor the Kinge, but wee ought to take what their pleasure shalbe; but flesh and blood cannot truckle to inferiors, and I thinck he had rendered himselfe vncapable of any command could he haue binn content to obey

Albemarle resigns his military employments.

Continues Chancellor of Cambridge.

his soe much inferiors. I know others blame him, and giue instances of others that haue binn put by great imployments, and yet haue shewne noe regret; but I am not courtier enough to thanck for neglects and affronts, as for fauours.

I am now entred on my 75th yeare, and haue litle to add to this narration.

At the tyme when the Lord Keeper North dyed, the Judges were in the West, that is to say, the Lord Jefferies, Lord Chief Justice of the King's Bench, the Lord Cheife Baron, William Mountague esquire, Creswell Levinz,* Judge of the Common Pleas, Sir Fr. Wrythens, Judge of the King's Bench, and Sir Robert Wright, one of the Barons of the Exchequer, executing Commissions of Oyer and Terminer, tryinge the rebells; and his Majestie, designinge the Lord Jefferies to succeed the Keeper, caused seuerall instruments and charters to be sealed in his presence, and kept the seale vntill the buisnes was ouer there, and on the 27 of September, 1685, deliuerd the seale to the Lord Jefferies, and made him Lord Chancellor; and on the 3d of October I was at Windsor, and did see the westerne Judges come all togeather to the Kinge, and kissed his hand, and had his Majesties thancks.† He then declared Sir Edward Herbert should be Lord Chief Justice of the King's Bench in rome of Jefferies; and that Baron Wright should be Judge in the King's Bench in rome of Walcot, lately dead; and the Serjeant Sir Edward Nevill should be Baron of the Exchequer in Wright's rome; that Serjeant Lutwich shalbe Cheife Justice of Chester in Sir Edward Herbert's place; and Mr. Roger North Atturney to the Queene in Sir Edward Herbert's place, and Mr. [Oliver] Mountague (one of the sonns of the late Earle of Sandwich) Sollicitor to the Queene; and Sir John Churchill, Master of the Rolls, beinge dead lately, his Majestie hath conferred the place on Sir John Trevor, the Speaker of the House

Lord Jefferies hath the Great Seale and tytle of Lord Chancellor.

Sir Edward Herbert, Lord Chief Justice of the King's Bench.

Baron Wright remoued to the King's Bench.

Serjeant Nevill made Baron.

Serjeant Lutwich Chief Justice of Chester.

Sir John Trevor made Master of the Rolls.

* Sir Cresswell Levintz, who had been Attorney-General in 1679.

† This is important, as shewing that the King fully approved of Jefferies's Bloody Assize, which has been denied by some of our historians, though the fact of that Judge being made Lord Chancellor seemed decisive.

of Commons. This preferment in-wrought (as was the Speakership) by the power and interest of the Lord Chancellor, to whome his Lordship (besides the vulgar talk) ownes a great freindship for his own sake. It seemes there was a tyme when his Lordship, beinge Recorder of the city of London, was compleined of in the House of Commons, and then Sir John Trevor spake in his behalfe, and I thinck he says was the only man that did soe. At the Sessions for the countie of Middlesex, now held after Michaelmas, indictments were preferred and found against the Earle of Stamford, prisoner in the Tower, against Henry Cornish, sometyme Sherriff of London (partner with Bethell), against Sir Robert Peyton (whoe was fled); and on Saturday, the 17th of October, Mr. Hampden, whoe had been indicted and found guiltie for high misdemenor, and fined 40,000*l.*, and imprisoned in the King's Bench for that fine, was remoued from that prison by warrant from the Kinge and Councill vnto the Tower, for high treason.

Indictment of treason.

The 19th of October, 1685, the said Henry Cornish was tryed at the Old Baylie for high treason in the same conspiracie with the Lord Russell, Duke of Monmouth, and others, at Shepherd's house. Colonel Rumsey and Goodenuff were witnesses produced by the King's Counsell. Rumsey swore his presence, and that he heard the Declaration read. Goodenuff swore to discourse at another tyme. The prisoner denied his beinge there, and the Court gaue directions to the Jurie, who withdrew, and some of the Judges were retired to refresh themselves, when Cornish desired Mr. Shepherd might be called. The Lord Chief Justice Jones told him that was irregular, but it beinge in a case of life, he askt the King's Councell, Mr. Roger North, why it should not be allowed. The Councill sayd he was sought for to be a witnes for the Kinge, and could not then be found; but it seemes the prisoner could find him. The Atturney consented he should be called, and soe the Court called him, and sent for the Jurie back, and askt Cornish what questions should be askt of him.

Cornish tryed

wherevpon he askt Sheppard if he were at his house with the Lord Russell and the Duke of Monmouth. He sayd, Yes. He askt then if he were there when the Declaration was read. He sayd he could not tell; but, whether he heard the Declaration or not, he was there. The jurie withdrew, and returned him guiltie. He was condemned that day, and executed the 23d, in Cheapside, at Kings Streete end, with his face towards Guild Hall, whether because his house was in a narrow passage betweene that and Blackwell Hall, and soe he could not conueniently be executed there before his dore, or whether because he had binn instrumentall in some former tumults in Guild-hall before, and when he was Sherriff. Some haue noted variance in Rumsey's euidence, now and at the Lord Russell's tryall. Then he sayd the Declaration was read before he came; now he sayd that Ferguson pulled it out of his bosom, and Shephard held the candle whilst Ferguson read it to Cornish. There was at the same tyme tryed others; one a woeman, Elizabeth Gaunt, for harbouringe Burton (whoe was in the Proclamation), giueinge him monie, and helping him to escape beyond sea! and now he came to proue this. She was burnt the same day at Tyburne on which Cornish was executed in Cheapside. It was a white frost that morninge; in the eueninge a very great storme of raine, thunder, and lightninge.

Elizabeth Gaunt.

Thunder and lightninge 23 of October, 1685.

On Twesday 27 of October Richard Nelthrope, of Grey's Inn, and John Ayloff, of the Temple, were brought from Newgate to the King's Bench barr, where, beinge asked what they had to say why execution should not be awarded against them, they standing attainted by outlawry for treason, for conspiring the death of the late King, &c. they only sayd they knew not of the indictment (as I was told). The Court gaue a rule to execute them on Friday, 30 October, which was done accordingly, Nelthrope beinge hanged before Grey's Inn gate and Ayloff before the Inner Temple gate. This man had binn a clubber at the King's Head Taverne, a green-ribon man, vpon

Nelthrope. Ayloff.

discouerie of the plott fled, and came with Argyle into Scotland, with Rumball and others. The partie beinge vanquished, he and Rumball were taken. Rumball,* resistinge, was wounded, and [his] wounds festeringe, he could not be sent into England, soe was executed there. Ayloff, beinge taken, would haue killed himselfe, and to that purpos thrust a knife into his bellie; but that wound proued not mortall, soe he was cured and sent into England, and beinge outlawed for treason, he was executed, as is aboue sayd.

The Parliament met.

Nouember the 9th the Parliament met, acording to the adiournment. About tenn of the clock the Kinge by the Black Rod commanded the Commons to attend him in the House of Lords, where his Maiestie spake this speech.†

The King spake

An irregular motion by the Earl of Midleton, Secretarie.

At the reading this speech in the House there was obserued a great deiection of countinance in very manie consideringe men in the House. After a good pause the Lord Midleton, Secretarie of State, moued the House to resolue itselfe into a committee of the whole House to consider of the matter of the King's speech; but the motion not beinge agreable with the orders of the House, it was moued and ordered that on Thursday next the House would take the matter of the King's speech into consideration. After some members had taken the oaths, and subscribed the declaration, the Lord Preston stood vp, and moued the House would adiourne vnto Thursday, which was done, the House not beinge willing to enter on any other buisnes before that. On Thursday, the 12th of November, the Earle of Midleton moued that the House would resolue it-selfe into a committee of the whole House to consider of the King's speech, which they did, the Speaker putting the question hastily, which was irregular; for when a supplie is demanded, the House, not the same day, but on a day appointed, considers whether a supplie or noe, and if the House resolue to grant a sup-

A day appointed to take the King's speech into consideration.

* Richard Rumbold suffered at Edinburgh, June 26, 1685.

† Omitted, as printed elsewhere.

plie, then it resolues itselfe (or appoints a day to resolue) into a committee of the whole House, to consider what supplie, and how to be raised. But in this Parliament, what through the zeale of the members, or inaduertencie of the Speaker, the orders of proceedings haue been often broken.

At the committee, the Sollicitor haueinge the chaire, he read the King's speech, and the Lord Midleton moued that the committee would proceed with the speech paragraph by paragraph; and because in the first paragraph mention was made of the insufficiencie of the militia, and vpon that ground the supplie seemed to be demanded, it was moued, and strongly vrged, that the committee should proceed first on that. But after some very good reasons vrged, and a very calme and good debate, the committee gaue preference to the supply.

In the debate there arose a question what the supply was demanded for: if for manteining of a standing armie, that is a thinge not heard of, or knowne in our law; and tho' the raysinge men for defence of his Majestie and safty of the peace of the kingdom whilst there were rebells up in armes, and a pretender to the Crowne, yet, that rebellion beinge quelled, and their generall headles, the dainger was ouer, and so noe cause to continue the men any longer in armes (it was intended of the new raised men). But it was sayd, tho' the rebellion, at least the rebells in armes, were supprest, yet the venom and seeds of that rebellion was not remoued out of the harts and minds of a very great part of the nation, who were apt still, if opportunitie serued, to rise, and that the militia as it is formed cannot be vsefull on such occasions. But it was insisted soe strongly on behalfe of the militia, that euen in that rebellion they were vsefull, and might be made more, if the defects were taken into consideration. At length a question was stated by the chaireman, that a supply should be granted to his Majestie. It was moued, and much insisted vpon, for the addition of some words to the question, as, for his extraordinarie occasions;

others, for the support of the armie; for it hath neuer been knowne that a supply was askt or granted and noe cause shewne for what. At last it was moued that a preuious question should be putt for these last words—for the support of the armie—which beinge put, it passed in the negatiue, 225 beinge in the negatiue, 150 in the affirmatiue. Two things caried the odds to the negatiue; one by Sir Thomas Meeres, which would haue it obserued, that those whoe were to add the words were against any supply; the other was words which Mr. Seamor sayd, that the militia might be made soe vsefull that there would be no need of an armie, and soe no need of a supply; which allarmd the sword-men and the courtiers too, and made them conclude there was a designe mannaged against any supplie; which was not the thinge intended, I presume, but they were not willinge to establish an armie officer'd by Papists. For tho' there were not manie such yet amongst them, euery man might see, by the same reason that these were dispensed with, all or as many as the King pleased might. Soe then the question was singly for a supply, and that passed without a negatiue; but in truth manie were silent; one gentleman, I thinck, was singular, Sir Richard Temple. He had contended earnestly and longe, yea, and spoke often, and replyed vpon Sir Thomas Meeres, that it did not follow that those that were for haueing the additional words part of the question were against all supply; yet on the diuision he was for the negative, and was numberd amongst them; soe that he spake one way and voted another; and yet I thincke he was the last that spoke before the committee diuided.

On Friday the King's speech was againe resumed by order [according to] the precedent; but a debate arose vpon the penning of the order, soe it was not cleere whether to proceede farther on supply, or the other paragraph about the Popish officers not qualified. Both questions had been spoken to, and both were stated, and the preuious question was putt, whether the House

should now proceede with the supply. The Speaker iudged the Yeas had it, but others saying the Noes had it, the House was diuided, and the Speaker sayd the Noes must goe out, and they did so, tho' the order was otherwise. The Noes were 183, the Yeas 182. Then wee ought to haue proceeded on the other question; but the Lord Preston moued, and Sir Thomas Meeres seconded him, that the preuious question might be put vpon that too, which was very disingenuous, and against the orders of the House, which is, when two questions haue been debated, and both stated, if the first be put, and a negatiue vpon it, that then immediately the other should be putt; but yet at this tyme it was putt (I meane the preuious question), and the House diuidinge, the Speaker made the Yeas goe out (soe palpably partiall was he that he changed his judgment with the interest of the question, it haueinge been euer obserued that the sitters in the House haue the aduantage in the division at least tenn votes*); but soe many went out (of which number was the Sollicitor, Mr. Finch, and Sir Christopher Musgrave, in whom the Court confided more then in the Speaker,) that the Lord Preston and Meeres yeilded the question, and would not diuide, and when the Members had taken theire places againe, the Lord Preston and others moued to adiourne, it beinge too late to enter on that debate; which was done. On Saturday the 14th, the House, accordinge to order, resolued into a committee, and the Sollicitor takeing the chaire, there was a longe and great silence. At length Sir Edmund Jennings brake the ice (as I was told, for I was not there), and when I came in Sir Thomas Clergies was speaking,

* This undoubtedly has occurred occasionally on motions for adjournment, but it is difficult to conceive that upon important questions any Members should have divided against their own party merely for the sake of retaining their seats till the end of the debate, and avoiding the trouble of going into the lobby. At the same time, the impression continued till within these few years, that those who staid in the House had the advantage. According to the present system, both sides go forth on a division.

and did it with more temper then he vses. Euery man that spake did it with great tendernes and deference to the Kinge, and at length the debates ended, and a committee appointed to draw vp an Adress to his Majestie, wherein the House should declare the breach of the law, and dainger the officers not qualified were in, with a desire that his Majestie would be pleased to take care to free the subiects from their feares; and that a Bill, if his Majestie please, shalbe prepared to endemnifie those officers which haue not taken the Test from the inabilities and penalties of the law. It was sayd by many, and denied by none, that nothing but a law could secure them (and, in truth, it was Mr. Hampden first moued for a Bill). Some would haue had it penned that those officers might be remoued. That was too harsh a word some thought, and soe left [it] to the committee to take the same words which were in a former Adress on the same subiect to the last Kinge, Charles 2d.

The Address concerninge the Popish officers presented the 17th.

On Munday the 16 the Committee reported, and the House agreed to the Adress, which is as followeth.*

The same day the Adress was ordered to be prepared, the House resolued into a committee of the whole House to consider farther of a supplie. Seuerall sums were mentioned, 200,000*l.* 400,000*l.* 700,000*l.* and twelue hundred thousand. The Lord Camden moued the first, alledgeinge that, there beinge in banck 400,000*l.* of the monie giuen for suppressing the rebellion, and that the charge of the additional forces raised on that occasion was 300,000*l.* for a year, there would be sufficient by this addition to keepe vp the armie for a year and a quarter, if only 100,000*l.* were remaininge; but on the debate that sum seemed to be waued, and a question, after much debate, was putt vpon the 2d sum. The committee diuided, and was caried in the negatiue, tho' it did plainly appeare there was sufficient to keepe the armie 2 years and halfe. Then the question for

* Omitted, as printed elsewhere.

700,000*l.* was putt, and vpon the diuision the Yeas were 213, the Noes 193. The sum for the supply voted, 700,000*l.*

On Tewsday the 17th the Comittee passed a vote that 400,000*l.* of the supply granted shalbe raised vpon the East India comodities and the French wrought silks formerly charged, and the residue on the wines, viniger, brandie, &c. formerly charged, by continuinge the charge fiue yeares. And on what commodities to be raised.

The same day the Earle of Stamford was arraigned before the Lords vpon an indictment found against him for high treason, and remoued into the Lords' House by *mittimus* on his petition. He at first sayd he knew not his crime, but was told the *mittimus* of his commitment, and the indictment, which he had then read, told him it was high treason. So he pleaded not guiltie, and that day fortnight was appointed for his tryall in Westminster Hall. The Lords allowed him penn, inck, and paper; they granted libertie for his freinds to come to him, but refused to grant him a copie of the indictment. Earl of Stamford arraigned at the Lords' bar.

The Lord Brandon, eldest sonn of the Earle of Maclesfeild, was arraigned at the King's Bench barr vpon an indictment of treason, to which he pleaded not guiltie, and required tyme for his tryall, sayinge, If they denied him tyme they murdered him. The Lord Chief Justice Herbert told him that they must trye him presently by the constant and ordinarie course of law, vnles the King's Councill consented to giue him tyme. He fell into high expressions, and sayd, If I were the sonn of a traytor it were somethinge. The Chief Justice sayd, It may be you are. (Note. A warrant was out for the apprehendinge the Earle, but he concealed himselfe.) He replyed, His father had spent his blood, bushells of blood, in defence of the Crowne. The Chief Justice sayd, The more to blame he to apostatise at last. The Atturney-General consenting, they gaue him tenn dayes for his tryall. At the tyme appointed, the 26th November, he was tryed, and found guiltie, and the 28th he had judgment, and to be executed on Friday. After, his Majestie repreiued him, but the pardon is not passed, nor hath his father appeared. The Lord Brandon tryed at the King's Bench, and found guiltie.

same day that judgment was giuen against him the Lord Delamer, Sir Robert Cotton, and Mr. Ofly, were bayled.

Vpon report to the House of the King's answer to the Adress, which was the 18th day, Mr. Wharton moued the House to appoint a day to take the King's answer into consideration. Mr. Cooke seconded the motion, sayinge, I suppose wee are all Englishmen, and not to bee frighted with a few high words. To which words exception was taken, and the words beinge writ downe by the Clerke, and he not explaininge himselfe to the satisfaction of the House, he was committed to the Tower. This day some votes passed in order to make the militia vsefull; the day followinge, the tyme for commencement and continuance of the dutie vpon wine. And a Committee, appointed to inspect the Custom House bookes, reported that at 4*l.* per tunn the dutie might arise to 35,000*l.* per annum. Others thought it was very much vnder the true value. The House ordered the Sollicitor to prepare and bring in a Bill.

Mr. Cooke committed to the Tower.

Friday, the 20th, the Kinge came to the Lords' House, and sent by the Black Rod, comandinge the Commons to attend him in the House of Lords. And the Lord Chancellor sayd the Kinge, for manie weightie reasons, prorogued the Parliament to the xth of February.

The Parliament prorogued to the xth of February.

This was very vnexpected to the Commons in generall, and to the Lords too, tho' the immediate cause came out of theire house, for the Lord Mordant (whoe had neuer spoke in the House vntill then,) moued the Lords to appoint a day to take the King's speech into consideration. He spake handsomly, aud was seconded by seuerall, the Lord Nottingham, the Bishop of London, and others. But some lords spake against it, perticularly the Earl of Clarendon, to whom it seemed vnseasonably moued, for that the Lords had giuen his Majestie thancks for his speech. To which the Marques of Hallifax replyed, and sayd, They had reason to thanck his Majestie that he would speake to them at all, but they ought [to have] greater reason to thanck him when he spake plainly to them. The

The reason.

Bishop of London * spake longe, calmly, with great respect and deference to his Majestie, yet very full and home; and when he ended, he sayd he spake the sence of the whole bench, at which they all rose vp. After some debate Munday was appointed to take the speach into consideration. The Kinge was in the House, and heard the whole debate, and before the day came (as I haue already sayd) the Parliament was prorogued. The scaffolds in Westminster Hall, which were almost finished, for the tryall of the Earl of Stamford, were taken downe, for the Lords beinge possessed of the cause (as I haue before sayd), he could not be tryed but by the House of Lords, by a jurie of his peeres.

The 29th of December, 1685, the Bishop of Durham, (Dr. Crew, sonn of the Lord Crew, and grandson to Sir Thomas Crew, Sergeant at Law,) was sworne Dean of his Majesties chappell, (in place of the Bishop of London, Dr. Henry Compton, son of the Earle of Northampton,) and the Bishop of Rochester (Dr. Sprat) was sworne Clerke of his Majesties closet (in succession to Crew). It may be obserued that the father of Bishop Crew was made a lord by Kinge Charles the Second, tho' he had been of the longe rebellious Parliament, and continued there vntill Crumwell garbled the House of the Presbiterians. And the Earle of Northampton lost his life in defence of the Crown in that rebellion; soe did some of his sons: all were in armes for the Kinge, and stoutly defended his cause.

Mr. Hampden tryed at the Old Baylie on an indictment for treason; the same with the Lord Russell.

The 30th of December Mr. John Hampden (grandson of Mr. John Hampden, famous for and in the Parliament of 3rd November, 1640, and the warr raised by the Parliament, sonn of Mr. Richard Hampden; the father and sonn were both members of this Parliament the first of James the Second, the sonn knight of the sheire), he was arraigned at the Old Baylie vpon an indictment of treason (the same with the Lord Russell), to which it was thought he would have pleaded. He had been alreadie

* Henry Compton.

tryed for the same thinge, tho' stiled a trespas only, and he alledged that; but yet he sayd he would waue that and all other pleas but only Guiltie; and soe, denyinge only the matter of killinge the Kinge, confessed the indictment, and had judgment giuen against him. But the King repreiued him, and it is generally beleiued he will have his pardon. And the Kinge seeinge Mr. Edward Waller, who is neere of kinn to him, sayd, Mr. Hampden had done wisely to putt him-selfe on the King's mercie. The truth is, he did verie wisely in that, for he was a prisoner before for the fine of 40,000*l.*, sett on him in the King's Bench for the misdeameanor; and had he pleaded Not Guiltie he must haue returned to the prison again; for that if the jurie had acquitted him, which could not be expected, for the witnes that swore before the Lord Howard was in court, and doubtles would haue sworne again the same thinge; and the Lord Grey was hard by, (in another roome,) and would have testified the same thinge which Lord Howard had done; soe that he was sure to be found guiltie if he did putt himselfe vpon the jurie; and if he had demurred, or pleaded *autrefoits*, and putt himselfe vpon the opinion of the Judges, he might easily guess what theire opinion would be; for had not that been knowne he had not been brought to tryall (as is most probable): and besides, the Lord Chief Justice Herbert (when Hampden begann to hint this matter) askt him if he had been tryed for treason. Soe doubtles he tooke the wisest course, especially if the fine, or a considerable part of it, cann be raised. He concluded what he had to say with a prayer for the Kinge, and a request to the Lord Chief Justice to intercede for him to the Kinge for mercie, sayinge, If the Kinge pleased to giue him life he would spend it in prayers for his Majestie, as a dutifull and obedient subiect ought to doe. The Wiggs are extreame angrie at him, and say he deserues to dye, he beinge worse they say then either the Lord Howard or the Lord Grey: and they haue reason on their side; for, as they say, and truely

say, he hath made good all the euidence of the plott, and branded the Lord Russell and some of the others with falshood, euen when they dyed.

The 14th of January followinge, the Lord Delamer was brought to his tryall in Westminster Hall, vpon an inditment found in Chesheire for treason against this King James the Second. The Lord Chancellor, the Lord Jefferies of Wem, was Lord High Steward, and 30 lords summoned his peers and tryers. All the White Staff, but the Duke of Ormund, Lord Steward, appeared not. Vpon the tryall, Rumsey West and some others proued the plott in generall; the Lord Grey gaue euidence, but not very materially. One Saxton swore that the Lord Delamer was in Cheshire, at his Lordship's house, the 3d and 4th of June, togeather with Sir Robert Cotton and Mr. Offly, in consultation for the assisting the Duke of Monmouth; and others proued that about that tyme his Lordship tooke post horses at London, and rode in disguise and by another name (that of Browne); and that a warrant was out against his Lordship at that tyme was made appeare by the King's Councell. But the Lord Delamer owned his ridinge into Chesheire post in disguise, and by a fained name, and gaue his reason that a warrant was out against him, and sayd he had lately sufferd imprisonment, and was loth to come into gaole againe, tho' he knew himselfe innocent. The reason of his goeinge into the countrie was, as he alledged, that a child was sick of the small pox, of which his mother had giuen him notice, and desired him to come downe; and for his so quick returne, he sayd, he had notice of another child being sick alsoe of the small pox in London. But the Lord Delamer (haueinge luckilie found the time that Saxton would swere him in Chesheire, which oath missed him but a day or two at most,) was prouided of witnes to proue that Sir Robert Cotton was those dayes in London, for soe Mr. Haueningham, Sir William Twisden, and Mr. Ashburnham all testified. His Lordship alsoe proued by Sir Willoughbie Aston that Mr.

The Lord Delamer tryed by his peeres, and acquitted.

Offly lay sick at his house for tenn dayes or more, and went thence but that very day; soe that it was impossible for Saxton to sweare true. The Lords vnanimously acquitted him. I may note the good fortune of this lord, not only to be able soe to nick Saxton on the tyme, but also that he was a lord and tryed by his peeres on their honor: they were not soe easie of beleife as a jurie of commoners would, nay must, haue been, the oath being positive; which made summ say, Mr. Browne was guiltie tho' the Lord Delamer was not. The tryall is since printed.

Sir Thomas Abdy dyed.

The same 14th day of January, 1685-6, Sir Thomas Abdy, Knight and Baronet (my beloued wife's brother), died at his house, Felix Hall, in Essex. He was buried the 19th day, at tenn of clock at night, it beinge the hower he vsually went to bed, and he appointinge by his will that his executors should putt him into his graue at the tyme that mortalls goe to their rest. He was the eldest sonn, and outliued all his brothers; he was younger by a year then my wife.

Mountague House burnt.

That night (the 19th) Mountague House, in Great Russell Streete, was burnt, about one of the clock in the night. By what accident it fired is doubtfull. The house was let to the Earle of Devonsheire (the Lord Mountague haueinge withdrawne himselfe with his lady into France on the discouerie of the plott,) for some yeares, at 500 guinies by the yeare, and his Lordship had made a great ball some days before; his seruants alsoe had their laundrie neere, where the fier was first seene, and other circumstances there are to induce beleife that it might happen by some accident of his seruants. But the Lord Mountague had reserued some romes to his owne vse, wherein were manie goods of great value, in which roomes fiers had been made of charcoles in the chimnies, a bushell and halfe of coles in fiue chimnies; and an old woeman whoe had been his Lordship's seruant 40 yeares, and a man of Mr. Scowens, the Lord's Steward, had attended the fier, and, as they sayd, secured it;

But yet the fier brake out that night, and in or neere those romes, at least the Earl of Devonsheire's seruants say soe; in soe much that it is disputable on whom the rebuilding the house must fall. But the Lord Mountague lost plate and goods to a very great value.

The Earl of Stamford bayled at the King's Bench barr.

The 9th of Februarie the Earl of Stamford was bayled at the King's Bench barr, to appear the first sitting of the Parliament in the Lords' House, or in the meane tyme at the Councill Table, if required. The scaffold built in Westminster Hall for his tryall was taken downe before on the prerogation.

The Parliament prorogued to the xth of May next.

The xth of February, the Speaker and about 200 of the Commons beinge met in the House, they had prayers; but the Speaker took not the chaire vntill the Black Rod was at the dore (for it was expected that the Parliament should be prorogued). He deliuerd his message, that the Lords desired that House to come vp to the House of Lords to heare the King's commission read, which was to the Lord Chancellor and others, impowring them to prorogue the Parliament to the xth day of May next; which was done acordingly. I purpose to see how the entrie in the Lords' Journall is, whether it were in the forme that Elsinge says it was antiently, and will note the difference, if any bee.

Leuins and Gregorie discharged, and Bedingfeild and Jenour aduanced in their places.

The same day at night Justice Leuins, one of the Judges of the Common Pleas, and Baron Gregorie, were discharged from their imployments vnder the Great Seale, and Sir Thomas Jenner, Recorder of London, one of the King's Serjeants, was made Baron of the Exchequer, and Sir Henry Bedingfeild, another of the King's Serjeants, was made Judge of the Common Pleas. Sir Creswell Leuins came not to the barr the next day, which was the last day of the tearme, but he came and practised the day after at Nisi Prius in Westminster Hall (and is not likely, 'tis thought, to loose by the change); but it is otherwise with Gregorie. Note.—By takeing two of the King's Serjeants to the Bench the King mist them not, nor the barr; for there

were left more then enough, and yet a fresh call is designed, and manie haue writs sent them returnable next tearme; amongst which, and worthilie, is Mr. Holt, sonn of Serjeant Holt, now liueinge, which Mr. Holt, besides the writ for the dignitie of Serjeant, receaued the honor of knighthood, and was made Recorder of London and the King's Serjeant. The two new Judges tooke not their places next day, yet were sworne, and had their pattents, and goe the same circuits which were appointed to those putt out (for the Kinge had but few dayes before appointed circuits to them with the other Judges). The ground of their remouall, it's sayd, was their opinion which they deliuered concerning the King's power of dispensing with some officers of the armie in the matter of the Test; but, if that be it, others must, by the same rule of justice, follow them, for it's sayd they were seauen, and the contrarie were but fiue. A litle tyme will cleere the doubt.

The King's letter to the two Archbishops of Canterbury and York, with directions concerning preachers.

The Kinge directed his letters, dated the fifth day of March 1685, to the two Archbishops, viz., of Canterburie and York, as had his brother, father, and grandfather, and with it sent directions concerning preachers, signed on the top J. R., and subsigned Sunderland P. (president); (for he was made President of the Councill on remouall of the Marques Hallifax). There are different instructions by these Kings; but in the last the most of concernement is that the bishops should grant the licences for preaching but at pleasure. The consequences whereof may be very pernicious; for vpon the death of the bishop there will not be one preacher in the whole dioces.

His Majesties Generall Pardon.

The longe expected Pardon of the Kinge was at last published, and bore date the tenth day of March the same year, viz. 1685. Very manie were by name excepted (I cannot say but deseruedly all); but yet the young mayds of Taunton, some of which were girles, the rest very young, beinge about sixtie, if theire crimes were no more then is generally sayd,—of their scarfes and whoods and petticoates makeing colours for M[onmouth],

might haue come in with some worse for the Kinges grace; but I suspect theire crimes were more then these, tho' treason is neuer to be immagined can be a sin of ignorance. Monmouth clamed the crowne, proclamed himselfe Kinge, &c. and Taunton had been a very seditious towne, and a place where he placed very much hopes of supplie (there Trenchard was Recorder, and had promised thence great assistance); and, in my priuate judgment, deserued rather to be rased to the ground then these girles to be excluded pardon. But one was in the King's power, the other not, vnles it had been taken by storme and *bello flagrante*.

The new church St. Ann's consecrated.

Vpon the twentie-first of the same March was the new parish church St. Ann's, Soho, consecrated by the Lord Bishop of London, Henry Compton, a most pious prelate, and an admirable gouernor. This parish is taken (as was St. James) out of St. Martin's in the Feilds by Act of Parliament, and the patronage thereof setled in the Bishop of London and his successors. The consecration (as was the buildinge) of it was the more hastened, for that, by the Act of Parliament, it was to be a parish from the Lady Day next after the consecration; and, had it not been consecrat that day, it must haue lost the benefitt of a year, for there was noe other Sunday before Our Lady Day. But the materiall parts beinge finished, tho' all the pewes were nott sett, neither below nor in the galleries, his Lordship made noe scruple of consecrating it; yet he would be ascertained that all the workmen were payd or secured their monie and dues first, and to that end made perticular inquiries of the workmen.

Jones, Mountague, Charleton, and Nevill, remoued.

The 21st of April 1686, Sir Thomas Jones, Lord Chief Justice of the Common Pleas; William Mountague esquire, Lord Chief Baron; Sir Job Charleton, one of the Justices of the Common Pleas; and Sir Edward Neuill, one of the Barons of the Exchequer, had their quietus. And Sir Henry Bedingfeild, lately made one of the Chief Justices of the Common

Bedingfeild, Atkins, and Heath

were placed in theire steads.

Pleas, was sworne Lord Cheife Justice of the same Court; Sir Edward Atkins, one of the Barons of the Exchequer, was sworne Lord Chief Baron; Sir Edward Lutwich, Serjeant-at-law, was also sworne one of the Barons of the Exchequer. Sir Job Charleton, at his request, was constituted Chief Justice of Chester, from whence he was remoued to the Common Pleas (a trick put vpon him by Serjeant Jefferies, now Lord Chancellor, and is now recompenced by the same hand). The reason for remouinge these is noe other then what remoued the two before-mentioned the last tearme, viz. their opinion as to the dispenseing power with the Test; how the seauenth man (Streete) hath playd his game I cannot tell; but I met him at Westminster Hall 2 dayes before the tearme, and askt him if he came of himself, or were sent for: he told me he could not readilie answer my question. He was in the closet with the Kinge alone a considerable tyme, and he is not yet remoued.

The post mailes robb'd, and 5000*l.* sterling stolen.

At the last assises for Essex, there was 100*l.* damages recouered against the Hundred of Becontrie, vpon a roberie committed there, which gaue occasion to the grand jury to present as a greuiance the conueyinge great sums of monie in the post mailes, which, if taken by theiues, might vndoe the Countie, at least the Hundred, where it was taken. The Judge, which was Lord Chief Justice Jones, told them it was not in his power to help them, but aduised that the Lord Treasurer and the Master of the Post Office should be attended. The grand jury ordered Mr. William Herries (sollicitor for the countie) to write to me (for I was not at the assises), to attend the Lord Treasurer; but, they haueing not giuen me sufficient information, I forbore vntill I had better in some perticulars I mentioned in my letter. I confess I did not vnderstand whether the monie went from London, or came thither; but yet, meeting with Mr. Frowde, who mannages the Post Office, I told him the storie more at large then I had by letter on the

first information. He told me that the Jewes often-tymes would send monie rather in specie then by bills of exchange, and that they could not help it, and wisht me to acquaint the Lord Treasurer; which I did instantly; who sayd he would speake with Mr. Frowd, and bid me doe soe. I told his Lordship I had, and that Mr. Frowd owned the thinge, but sayd he could not helpe it. I replyed, the mailes goinge by day, as they constantly did when they caried monie, the Hundred where it was taken would be ruined. "What," says he, "you would haue them goe by night?" "Aye, my Lord," sayd I, "for then we are safe." He laught hartilie, and sayd he would speake with Frowd, and take order in it. That very night, about tenn of clock, the maile was robb'd, and 5000*l.* sterling, in foreigne golde, coyned and vncoyned, taken by two men from two post-boyes who caried the mailes. Since, one of the principalls and the setter are taken, and halfe the monie recouered.

Tenn Serjeants sworne, and two new Judges.

This tearme, tenn Serjeants were sworne, and two Judges, in the places of Atkins, aduanced to be Chief Baron, and Bedingfeild, aduanced to be Chief Justice of the Common Pleas, (that is to say) Milton into the Common Pleas, and Powell into the Exchequer.

Finch, Sollicitor-generall, remoued, and Sir John Powis is made Sollicitor.

Henage Finch, esquire, second sonn of the Lord Chancellor, Earle of Notingham, was displaced from beinge the King's sollicitor; and one Powis, sonn of Serjeant Powis, was putt into his place, and is knighted by the name of Sir John.

Some disturbance in London.

Some disturbance was the last Sunday and the precedent, in London, about the setting vp mass in a house in Lyme streete, where a merchant dwelt, and sayes he is agent for the Duke of Newnburge, but, by the care of the Lord Maior, Sir Robert Jefferies, noe hurt was done.

And in Bristoll.

On Sunday last, April 25, at Bristol, information beinge giuen to the Mayor that mass was sayinge in a house in that citie, he tooke with him the sherriffs and some aldermen, and went and apprehended the preist and the conventicle, and committed the preist and

some of the companie to the gaole, and sent to the Bishop, Sir Jonathan Tralawnie, notice of it. His Lordship instantly caried the letter to the Kinge, who sayd he would speake with Lord Sunderland thereof; and I was told this morning that his Lordship had told the bishop that an *habeas corpus* should be sent downe to remoue the prisoners and the cause hither.

The Kinge hunts in Essex.

The Kinge, beinge inuited by the Duke of Albemarle to New Hall to hunt some out-lyinge red deere, his Majestie went towards New Hall the 3rd of May, 1686; and when he came neere Chelmesford, hearinge the Duke with the hounds were neere the place where the stagg was harboured, in a wood neere Bicknaker Mill, his Majestie turned out of the road, and went by Moulsham Hall thither. The stagg came out of the wood neere where the Kinge was, and manie with him, whoe followed the hounds; but Prince George (whoe had maried the Princess Ann), the Duke of Albemarle, the Earle of Feversham, Lord Dartmouth, and seuerall others, being on the other side of the wood, heard not the hounds, nor knew not that the stagg had left the wood vntill late, and so seuerall cast out, and neuer reacht the hounds. The stagg made toward the forest, and gott thither and rann almost as farr as Wansted, where, turninge head, he was at last killed betweene Rumford and Brentwood, or neerer Rumford. The King was neere at the death; he gott a coach to carrie him to Brentwood (where his owne coach was), and well pleased that he was in, the Lords throwne out. They, not recouering the hounds, went all to New Hall, whither, after 9 of the clock at night, his Majestie came to a supper. A table was prepared for his Majestie, and others for the Lords and gentlemen; but the King would haue his fellow hunters sup with him, and about a dosen sate downe with him. The next day he hunted a stagg which lay in New Hall parke, and had been there the most part of the winter. After a round or two, he leapt the pale, tooke the riuer, and rann thro' Bramfeeld, Pleshie, and so to the Roothings, and was killed

in Hatfield. His Majestie kept pretie neere the doggs, tho' the ditches were broad and deep, the hedges high, and the way and feilds dirtie and deepe; but most of the Lords were cast out again, and amongst them the Duke of Albemarle. The King was much pleased again that the Lords were cast out, who yet recouered him ere long, and considering his coach and guards were quite another way, they were at a loss what to doe. The Lord Dartmouth aduised to send to Copt Hall,* to the Earl of Dorset,† that the Kinge would come and dine there, and dispatched away a groome to giue his Lordship notice, and so rode easily on (it beinge directly in his way to London). The messinger came, and found the Lady Northampton ‡ and the Lady Dorset, her daughter, in a coach, goeinge abroad on a visit; the Earle beinge at dinner that day, with a great manie gentlemen, at Sir W. Hicks's.§ The Countess was much surprised. Her cook and butler were gone to a faire at Waltham; and would haue excused it, her Lord and seruants all from home; but a second messinger comeing, she turned her coach, and went home, and sent her coach to meete his Majestie, and by breaking open locks and dores, and with the helpe of the maides, &c. by such tyme as his Majestie arriued, had washt, and viewed the gardens and house, a very handsom collation

* There is an engraved view of the old house, which has long since been pulled down, in Fuller's History of Waltham Abbey.

† Charles Lord Buckhurst, created Earl of Middlesex *vitâ patris*, in 1674, succeeded to the earldom of Dorset in 1677. Having taken an active part in the measures that led to the Revolution, he was, in 1697, made Lord Chamberlain of the Household, and died in January 1705--6. The Earl had inherited Copped Hall from his uncle Lionel, Earl of Middlesex, the Lord Treasurer; and he sold the estate in 1700 to Sir Thomas Webster, afterwards one of the burgesses for Colchester, by whom it was alienated to Mr. Edward Conyers, of Walthamstow, the ancestor of Henry John Conyers, Esq., the present possessor. The Countess was Lady Mary Compton, daughter of James Earl of Northampton, a Lady of the Bedchamber to Queen Mary. She was the Earl's second wife, and died in 1691, leaving issue one son, who became the seventh Earl and first Duke of Dorset.

‡ Mary, eldest daughter of Baptist, Viscount Camden.

§ At Rockholts, mentioned afterwards.

was gotten for him. Extreamly well pleased with the treat, [he] came toward London, and on the road met the Earl of Dorset returning home from Rookeholts. The Earl alighted, and comeinge to the coach side, bemoaninge his ill-fortune that he should not be in the way to receaue that great honor, and makeinge excuse that things were not answerable to his desires, the King replyed, "Make noe excuses: it was exceedinge well, and very handsome." And soe his Majestie came safe and well [to] London, and well pleased with his sport.

Persecution of the Protestants in France and Savoy.

The French Kinge, haueinge taken away all the edicts of his predecessors giueinge libertie to those subjects of different relligion (called commonly Hugonets), required all to conforme to the Roman Catholic relligion by a certein day, and haueinge pulled downe their churches, inforceinge manie to mass, banishinge the ministers, and compelling the laytie to conforme, manie gott away, leauinge behind them their estates. At first he lett some goe on those tearms, which afterwards he refused; and if he tooke them flyinge he sent them to the gallies, and vsed vnheard-of cruelties, so that thousands got away into Switzerland, the Low Countries, and into England. Some haueing escaped thus, a narratiue or historie of the persecution was writ and printed, both in French and English, which the French Embassador compleyned of to the King and Councill, and obteined an order for burning a copie both of the French and English, which was done on Friday the 8th of May, 1686, at the Exchange in London, by the hangeman; yet had his Majestie granted a breife, and great collections made for releife of such French Protestants as fled hither (for relligion) for protection. But this booke, it seemes (for I haue not yet seene it), had in it expressions scandalous, as the Embassador sayd, to his Majestie the King of France; and, indeed, if soe, it was fitly burned, for all Kings ought to be carefull of the honor and dignitie of Kings and Princes.*

* This remark might have been spared, as it is obvious that the King in this proceeding lost sight of the honour and dignity due to himself.

This day, the tenth of May, the Parliament met, and was prorogued by Commission to the 22d of Nouember next. The Parliament again prorogued to the 22 of Nouember.

The preist which was committed by the Mayor of Bristoll was brought to the King's Bench barr, but because the Lord Chief Justice, Sir Edward Herbert, was absent, and the prisoner pretended himselfe vnable to speake for himselfe, and that Mr. Brent, who was of his Councill, was not there, the Judges committed him to the King's Bench prison vntill the Lord Chief Justice could be present.

The same day Prance confessed himselfe guiltie of the indictment of periurie, which was for a false oath he had taken about the death of Sir Edmund Berrie Godfrie's murther, in the tryall of Greene, Berrie, and Hill.*

The twelfe day of this May the Princess Ann of Denmarke went to Windsor, and was deliuerd of a daughter within two howers after she came thither; and at her full tyme, as is supposed, for the child is well, and in perfect growth. The Princess Ann of Denmarke brought to bed of a daughter.

The Kinge, hearing the Princess was brought to bed, went with the Queene the next day to Windsor, a day sooner then his Majestie intended. The child was christned by the Bishop of Duresme, being named Ann Sophia. The Earle of Feversham was godfather, the Countess of Roscommon and the Lady Churchill were godmothers.

The 17th of the same May, beinge the last day of the Tearme, came Mr. William Williams to the King's Bench, when judgment was giuen against him vpon an information for causing to be printed (when he was Speaker in the House of Commons in the Parliament 1680) certein papers, libellous and scandalous, &c., to which he had at first pleaded to the jurisdiction of the Court, the matters beinge agitated, &c. and concerninge a higher Court; but, beinge ouer-ruled in that plea, he pleaded Mr. Williams fined 1000*l.*

* The spot on which Sir E.B. Godfrey's corpse was found, near Primrose Hill, is still called *Green-Berry Hill*, and it has been asserted that it had the same appellation before the catastrophe. *Credat Judæus!*

the same matter in barr, but the Court gaue sentence, and fined him 10,000*l.*; but he was not committed (as is vsuall), that beinge not prayed by the King's Councill.

The informer moues by Northey, his Councill, for a day to be ap n pointed for the judgment of the Court vpon the demurrer on the information.

The same day it was moued by Mr. Northey, of Councill for the informer, that whereas an information had been exhibited against Sir Edward Hales, for that he had taken vpon him an employment and office of trust, and yet had not taken the oaths of supremacy and allegiance, and subscribed the Test, as by law he ought to haue done, whereby he had forfeited 500*l.*, which the informer clamed. To this Sir Edward pleaded the King's pardon and dispensation, to which plea the informer demurred; and it was moued that the cause might be set downe, and a day appointed for Councill to be heard next tearme, which, after the fees be payd, is ordered accordingly.

The King writes to the Parliament of Scotland.

Against the meetinge of the Parliament in Scotland his Majestie writes the letter following.*

The Commissioners' speech the first day of the meeting of the Parliament in Scotland.

The Parliament was adiourned to the 29th of April, on which day, after the readinge the letter of his Majestie, the Lord Commissioner enlarged on the seuerall heads of the letter, and expressed perticulerly what the Kinge intended to do for the kingdom, concluding thus: "And now, my Lords and Gentlemen, after so great and excellent designs for promoting the honor, the ease, and wealth of this kingdom, after his resolution to pardon so many enemies, and to free so many of the guiltie from further seuere, but iust, prosecutions, his Majestie belieues that none will wonder if he desire, by the aduice and consent of this his Great Councill, to giue ease and securitie to some of his good subiects of the Roman Catholick religion, who haue in all tymes been firme to the monarchy, and ready to sacrifice their liues and fortunes for the seruice and security of the Crowne; so that his Maiesty, who perfectly vnderstands the loyall and dutifull temper and genius of Scotland, rests fully perswaded of your ready

* Omitted, as printed before.

and cheerefull compliance with his royal desire and inclinations, tending so much to your owne securitie and his satisfaction, and that you will send me back to my great and royall Master with the good tydings of the continued and dutiful loyalty of his antient kingdom; by which you will shew yourselues the best and most affectionate subiects to the best, the incomparable, and most heroick Prince in the world."

The King vsed the Latin seruice at healing the euill.

The Kinge, at his healinge of the euill, began at Windsor to make vse of the Latin seruice and his owne preists, and discharged the Dean of the chappell and the Chaplaines from attendinge any more at that office: and in Whitson weeke he vsed his preists and the Latin prayers at Whitehall on that occasion; from whence grew a report that his Majestie had discharged the Dean of the chappell and the rest from their attendance in the chappell at White Hall: but, God be praised, it is not so.

The attainder by outlawry against Lord Grey reuersed.

This Trinitie tearme the Lord Grey, by writ of error, reuersed the attainder by outlawrie against him for treason (and there was apparent error, as I was informed by Mr. John Goodfellow), so that he is restored to his honor and estate.

Mr. Hampden's error not allowed.

Mr. Hampden brought a writ of error too, and assigned errors, but the Court sayd they were not allowable. The Atturney-general sayd he had order to consent; but the Court sayd his consent could not make that error which was none; and, although they were willing to doe what kindness they could for Mr. Hampden, he haueing behaued himselfe respectfully to the King, yet, for the precedent's sake, they could not allow that for error which was not; but they tooke tyme to consider farther.

Prance in the pillorie.

In the same tearme, on the 25th day of June, Miles Prance stood in the pillorie in Westminster Hall Yard, he haueing first binn at all the Courts with a paper in his hat, shewinge his offence; which was for periurie committed in his euidence against Berrie, Hill, and Greene, whoe were condemned and executed for the murder of Sir Edmund Berrie Godfrey.

Judgment in Sir Edward Hales' case that the dispensation and pardon are good.

This tearme Councill argued the case of Sir Edward Hales, vpon the information; Mr. Northey for the informer, and the Sollicitor-general Powis for Sir Edward Hales. It seemes seuerall had refused to be of Councill with the informer vntill assigned; but Northey haueing set his hand to the demurrer, he argued, tho' others were assigned. After the arguments the Chief Justice Herbert sayd there was, he perceaued, great expectation amongst men, which he wondered at, thinckinge the case cleere and plaine; but, he sayd, to satisfie their expectation, they would conferr with the rest of the Judges: which beinge done, the Chief Justice, the 21 of June, 1686, deliuered the opinion of the Court, and of all the Judges, who were all vnanimous but one, that the Kinge might dispence with the oaths and test; and so judgment giuen accordingly. (The Judge that differd from the rest was Justice Street, as I was informed.) In the debate this Judge holdinge the King could not dispence with the incapacitie, the Chief Justice Herbert askt him what he thought of the case of the Sherriffs. He sayd the case was not adjudged. But what thinck you? replyed the Chief Justice. He sayd, The King cannot dispence in that case! Methincks the judgment in this case so much like which the Judges gave Cambises of old. He had a mind to marrie his sister, and askt the Judges if by the laws of Persia a King might not marry his sister. They answered they met with no such law, but they had a law that the Kinge might doe what he pleased.

Samuel Johnson tryed and found guiltie at the King's Bench.

Samuel Johnson was brought to tryall at the King's Bench barr for high misdemeanors, vpon an information against him for writing, printing, and publishing two scandalous and seditious pamphlets and libels, the one intituled "An humble and hartie Address to all the Protestants in the present Army;" the other, "The Opinion is this, that Resistance may be vsed in case our Religion and Rights should be inuaded." He was found guiltie.

The King's Majestie, on Friday the 18 of June, 1686, sent a warrant or command to the Lord Bishop of London (Doctor

Henry Compton, of the loyall noble familie of Northampton) to suspend Doctor Sharpe, Rector of Saint Giles in the Fields, Dean of Norwich, for preachinge a seditious sermon in his parish church, and the same sermon at the Tabernacle in Russell Streete. (And, by the way, let me note that, the conventicles beinge suppressed, vse hath been made of the house for those meetings for the vse of the orthodox and conformable Clergiemen and their auditors; a great ease, and of great benefit to the parishioners in great parishes.) The Bishop gaue the Doctor notice of the warrant, and withall writ to the Earl of Sunderland (who, as Secretarie, did countersigne the warrant,) that he could not obey the warrant before the Doctor were cited into the Court, and the matter examined, and the Doctor there heard. This letter the Doctor carried next day to Hampton Court, where the King sate in Councill, and desired his Lordship to be a meanes to helpe him to speake with his Majestie, not doubtinge but he should giue his Majestie satisfaction; but his Lordship replied (as I was informed), "This is euidence the Bishop had the warrant," and turned away from the Doctor. The Earl of Nottingham caried the Doctor in his coach (he had been Chaplain in the house to the Earles father when he was Chancellor); and soe I heare his Lordship hath this day caried the Doctor to Hampton Court on the same account againe—God grant he speed better now then he did before! Howeuer, the Doctor, tho' not legally suspended, forbore on Sunday to preach either in his Church or at the Tabernacle. Tho' the answer the Bishop gaue be reasonable, for he must haue cause legally before him, or he cannot judge any man, yet it is much feared the Kinge will command the Archbishop to suspend him, for the preists haue an akeing tooth at the Bishop, and lye a katch * to trap him; but God, I hope, will protect and defend him. What the King, as supreame Ordinarie, may doe, is beyond my capacitie to discourse of, and possibly at last that experiment

Dr. Sharpe is by warrant from the King to the Bishop of London suspended, but the Bishop demurs.

The Doctor, with the Bishop's letter, went to Hampton Court to his Majestie.

He goes againe thither, and forbears to preach.

* *Sic orig.*

wilbe made. The Doctor did not preach on Sunday 27 June, whereby it is guessed he did not speed as his auditorie did hope he might.

The King takes review of his army, horse, foot, and cannon, which his Majestie drew up in battalia.

Wednesday, the 30th of June, the Kinge tooke reuiew of his army, horse, foot, and cannon, vpon Hounslow Heath, where they were incamped. He had inuited the Queen Dowager to see and dine in his pauilion, and a gallerie was made for the Queen Consort, her, and the ladies. The whole cannon, 28, were fired, and so the whole armie, ffoot and horse, fired twice. The King lead the armie mounted vntill he passed the Queenes, and then he dismounted, and the Lord Feversham marched before them. Great feastinge in euery tent of the great officers.

Dr. Sharpe goes to Norwich without obteining leaue, to speake with the King, who refused both that and any Petition from him.

Dr. Sharpe, not beiuge able to obteine leaue to speake with the Kinge (who refused both that and to receaue any Petition for him), is gone downe to Norwich, where he is Deane, and whither he was goeinge when the notice came of the King's warrant before mentioned.

Fower Priuie Councellors, Powis, Arundell, Ballasys, and Dover, Papists all.

On Saturday, the 17th day of July, 1686, at Hampton Court, the Earle of Powis, the Lord Arundel of Warder, the Lord Ballasyse, and the Lord Dover, were sworne of the King's Priuie Council. The three first were three of the fiue Popish Lords impeached for the Popish plot, and the last a younger sonn of Lord Jarmin, and nephew to the Earle of St. Alban's, created Lord of Dover by the present Kinge, James the Second.

Ecclesiastical Commission to 4 lay and 3 ecclesiastical Lords. I haue since obteined a true copy of the commission, and tryall of the Bishop of London before the Commissioners, which possibly I can insert into this narratiue.

A Commission vnder the Great Seale, directed to the Archbishop of Canterbury, the Lord Chancellor, the Lord Treasurer, the Lord President, the Lord Chief Justice, the Bishop of Duresme, and the Bishop of Rochester, whereof the Lord Chancellor is of the quorum, grounded on the King's prerogatiue, and as supreme [Ordinary, was issued;] and it giues the Commissioners power ouer all the clergie in all dioces, to hear and determin any case of any persons, acordinge to the ecclesiastical laws and cannons of realme.

On Sunday, 25th July, 1686, I receaued a letter from Mr. R. Wyseman, my godson, from the campe before Buda, in Hungary, dated the xth of the same month, which was some nine or ten dayes after his ariual there. That letter gaue account that the Turks abandoned the lower towne as soone as it was attackt, without los of more then three or fower men on either side; the vpper towne was streightly besieged, on one side by the Duke of Loraine and the Brandenburg forces, on the other side by the Duke of Bavaria's; that the cannon played from the batteries, and that the Duke of Lorain's cannon had made a great breach in the wall, and two mines were carryinge on in order to a storme; that [he] had been in the trenches the night before he writ, and had a warm night of it; the cannon from the towne playing on them at night, but did little hurt. By same post came a letter from Mr. Wyseman's seruant, dated 7th of July, to Sir Richard Wyseman, that his master was slaine in the storme 3 or 4 dayes before, and excused his not writing sooner, which he sayd was by aduise of the Lord Mountioy and Mr. Cutts, for that they were in hope to find the bodie; but tho', by order of the Duke of Lorain and Count Taffa, diligent search had been made, it could not be found. He sayd his master gave him strict charge to obserue his orders left in writing (if he did miscarry), and that he would sell the horses, &c. This letter came to Sir Richard Wyseman iust as he was sitting downe to dinner with some gentlemen—Mr. Charles Fanshaw, Mr. Percy Goreinge, and others, whom he had inuited to the eating a pastie veneson. I purposed to haue caried my letter to Sir Richard after euening prayer; but soone after I had dined came a seruant of Sir Richard's with that letter he had receaued; which when I read, and findinge the man's letter of the date aboue, I could not reconcile the two dates, my thoughts beinge disordered at the sad newes, and I apprehended that the fellow had a designe to cousen his master of the horses. I made hast, and went to Sir Richard, to whom I had sent my letter. When I came he shewed

Buda beseiged by the joint forces of the Empire, the Duke of Bavaria, and the Duke of Brandenburg.

Mr. Richard Wyseman slaine at the first storme, vpon the top of the breach.

me another letter, from the Lord Mountioy and Mr. Cutts to Mrs. Elizabeth Wyseman, acquainting her with the death of her brother, and his desire that the gold he had should be kept and reserued for her, which they had told, and found was 270 duckats. This gaue me too full satisfaction as to the reality of his beinge slaine. But Sir Richard (in regard his man sayd in his letter that search had been made for the body, and that his master was the first seene vpon the wall) flattered himselfe with some hopes that he might be taken prisoner (tho' fallen, as a German prince had sayd), and intreated me to find out Mr. Cooke (Latin Secretary, and vnder the Earl of Midleton Secretary of State); which I did, and he shewed me a letter from Mr. William Harbourd (son of Sir Charles Harbourd, Surueyor to the late King, whose office this son now had, beinge granted him in reuersion after his father) to this effect:—That a storme had been after a breach in the wall, and some mines sprunge, wherein the English behaued themselues gallantly, and gained great honor; where Talbot, Wyseman, Rupert, and More were slaine, with diuers others. The Lord George Savil (younger son of the Marques Hallifax) was wounded, as also Mr. Forbes (the Lord Granard's son), and Mr. Saint George, and diuers others also wounded. This letter confirmed the sad newes, and explained the other two letters. This gentleman, Mr. Richard Wyseman, was the first sonn of Sir Richard by his first wife, Mrs. Towes, (to whome I was godfather), and [at] this tyme the only sonn of his father, and who left but one sister, Mrs. Elizabeth, before mentioned. He had maried a daughter of Sir John Barington, of Hatfeild, in Essex, Baronet, in the life-tyme of Sir John; but without the priuitie of ether father or mother. He had by her 4,000*l.* portion, with which he may be sayd to haue purchased 200*l.* per annum of his father for her, and redeemed soe much mortgaged by his father. She died within a year, and left no issue. But his father haueinge incumbered the rest of the estates with debts, to almost the full value, he despaired of re-

deeming it by another portion (which he attempted tho', at his father's instance); and, seeing his father had lost much tyme, and spent a great deale of money, in pursuit of the Widow Winter, (whom at last he sewed for a contract in the Speciall Court, but could not make it out,) he tooke resolution to make the warrs his profession, hopeinge thereby to gett into esteeme and favour with his Kinge, who indulged souldiers aboue all others. And because the only war in action was in Hungary, against the Turks, by the Emperor of Germanie, he tooke resolution to goe thither; and he acquainting me therewith, I askt him if he had his father's consent. He sayd, he had acquainted his father therewith, who was not much auerse, but bad him consider better, and not put himselfe into so daingerous a course out of dispondency, or dispairing, but to try to gett a wife that might redeem the estates; which course I thought was best also, and seconded that proposal. He answered, that he had attempted a rich widow, at his father's command, but was receaued with scorne both to his father and himselfe. I told him, he must not goe without his father's consent and approbation; and that he ought also to haue the King's leaue, which he had no hopes of vnles his father first consented. So he tryed his father again; and told me he was not soe auers as he had been, and desired me to gett him his Majesties approbation. I sayd, that would not be difficult, if his father were consenting, without which I would not moue one step in it. At length he came to me, and sayd his father had giuen him leaue, and would goe with me to the Lord Treasurer or the Kinge at any tyme. So we agreed, and went to the Lord Treasurer; and made it our request that he would acquaint his Majestie with the designe Mr. Wyseman had to spend this summer in the campaigne in Hungarie; which he vndertooke, and one morning in the King's bedchamber presented him to the Kinge; and his Majestie gaue him his consent, and granted him a very large and ample pass (which Mr. Cooke, at my request, drew in very elegant Latin, and with noble

expressions of Mr. Wyseman and his family). With this, and a letter to Count Taffa from the Earle of Carlingford his brother, and one from the Earl of Danby to the Prince of Orange (which he yet made no vse of, tho' he did see the Prince), he tooke shipping at Harwich, and soe onwards of his journey, and ariued at the camp before Buda; where in the storme of the towne he was slaine, as is before sayd. His father had sent him into Spaine with Sir Henry Goodrick, when he went embassador thither, where he learnt the Spanish language in some good measure. He had been before in France, at Somer, where he learnt that language. He had also been in the Low Countries awhile, so that, if God had giuen him life, he might probably haue gained fame and esteeme in the world; haueinge courage enough (or rather too much, for he had had some quarrells with gentlemen, wherein he shewed much heat). In truth it must be sayd he putt a high value on himselfe, and was noted by many for pride, and a high conceit of his owne parts and person: but he must be allowed handsome and proper of person, quick of parts, and daringe enough, which is sufficiently testified in this last action of his life, he being slain vpon the wall. The letter that is put into the Gazet expresses it thus:—"Mr. Wyseman was stroke downe on the top of the breach with a simiter, and was not seene afterwards."

Ecclesiastical Commissioners open their commission.

On Tewsday, August the 3d, 1686, the commissioners before mentioned for ecclesiasticall matters met (in the chamber commonly called the Robes), all but the Archbishop of Canterburie (Dr. William Sandcroft), who not comeinge, the rest sent for him; but he returned answer that he was indisposed, and could not come ouer the water! Then the rest, viz. The Lord Chancellor, Lord Jefferies; the Lord Treasurer, Laurance Hyde, Earl of Rochester; the Lord President, Earl of Sunderland; the Lord Bishop of Durham, Dr. Crew; Lord Bishop of Rochester, Dr. Sprat; and Sir Edward Herbert, Lord Chief Justice of the King's Bench, caused the commission to be read, and ordered

summons vnder the seale of the court vnto Henry Lord Bishop of London, requiringe him to appeare before them on Munday, the 9th of the same month, in the same place, at ten of the clock, there and then to answer to such matters as should be objected against him on his Majesties behalfe. This was deliuered to Atterburie, the messenger, who came on Wednesday morninge to Fulham, and shewed the summons vnder the Seale to his Lordship, and left a copie thereof with him. At which day the Lords Commissioners, whoe had sent the summons, met, and the Bishop of London beinge called on, he had a chaire allowed him, and he sate downe, and shortly after the Lord Chancellor spake, sayinge, his Maiestie, findinge irregularities and misbehauior in the clergie and other persons, had thought fit to send out a commission, impowringe the commissioners to redress those matters; that his Lordship had been summoned to appeare at that tyme to giue answer why he did disobey the King's order, whereby he was required to suspend Dr. Sharp, who had preached in the parish church at Saint Gyles in the Feilds a very seditious sermon, for which his Majestie had ordered the Doctor to be suspended; the not executing of which was a great contempt, to which they expected his answer. The bishop desired either a copie of their commission, or that he might heare it read. To which the Chancellor sayd, No Court whatsoeuer did that, nor can you thinck that these Lords would truble themselues, or you, if they had not sufficient authority? and askt him if he would plead to their jurisdiction. The bishop replyed, If he might not haue a copie, that he might heare it read. The Lord Chancellor sayd, The contents of the commission are to be had for a pennie in euery coffee-house. The bishop sayd, He came not into any coffee-house; adding, that he had a character vpon him which he was not worthy of, but he had it, and must giue an account as good as he cann. As Bishop, a great trust was in him, and he was a Peere too, both which dignities may suffer if

The Lord Bishop of London summoned, and appears.

he permit any thinge to be done in his case derogatory to either; wherefore he desired a copie of their commission, not disputinge theire authority, but to informe himselfe in the perticular clauses of it, some of which it might concerne him to know, not so much regarding himselfe in person, as the station he was in. The Lord Chancellor told him the question was a short question, and askt him again what answer he gaue, why he contemned the King's authority, and did not obey the order, which, he presumed, he would not denie to haue receaued, because he had owned, vnder his hand, the receit of it. The bishop sayd, The question was short, but it would require a longe and deliberate answer. He was asked by the Chancellor what tyme he desired. He sayd, he hoped they would allow him tyme vntill neare the tearme, most of the lawyers beinge out of towne, either in the circuits, or dispersed in the countries for their health or recreation. The Lord Chancellor then askt the Lords what tyme they would allow him, addinge, London is neuer destitute of good and able counsellers, and he thought a weeke might be sufficient tyme. The Lord Treasurer sayd, he thought a weeke tyme enough, for, he obserued, the Lord Bishop sayd, he had aduised with councill on the receit of the order. (Now that was true, and I should haue mentioned that before, for my Lord of London, when he was first askt why he obeyed not the King's order, sayd, he was informed by those he aduised with that he could not legally suspend Dr. Sharpe without citing him, and hearing him; and relying on their judgments did forbear to execute the order, not out of any designe of contemninge the King's authority; and he hoped the whole course of his life, and the constant loyalty of his family, would acquit him from contemninge the authority of the Crowne, for which they had aduentured and lost liues and fortunes.) The Lord Sunderland sayd, there was councill enough in towne, and he thought a week sufficient. The Bishop of Rochester sayd a week was enough; soe the rest, and he had to that day

sennight giuen him to answer to the charge, which was not giuen him in writinge.

The Lord Bishop appeared again, and answered by word of mouth.

On Munday the 16th of August the same Commissioners met in the same place, and much more company in the gallery then at the first day, and a great croude was at the dore, pressing forward wheneuer the dore was open, that it was difficult euen for the Lords Commissioners to get in, which gaue the Lord Chancellor [opportunity,] when the Bishop was called in, first to explane what he meant the tyme before, when he spake of the coffee-houses. He knew well my Lord of London came at no such place, wherefore he was totally misvnderstood, and that he did not direct his lordship thither for information of the contents or a copie of the commission; but he wondered, he sayd, his lordship should be such a stranger to the commission, when it was in euery coffee-room; and added, "There are gentlemen about this towne haue itching eares;" and lookt round about the roome. Then he askt the Bishop what answer he gaue to the question. My Lord Bishop sayd, their lordships refuseing him a copie, and yet vnderstanding from his lordship where it was recorded, he imployed one to take out a copie, and imployed the litle tyme giuen him as well as he could; but Tewsday noe bodie was in towne at Doctors' Commons, nor common lawyers that he could aduise with vntill Wednesday. The first thinge his councill askt for was a copie of the commission, and it was Saturday before he could get a copie of it; and sayd there was one readie to make oath that he had searched in the vsual place for it, but it was not there; that, by direction of Mr. Bridges, at last he found it. The Lord Chancellor replyed, they putt a better value on his word then to examine farther on that point; but, says he, by your standinge so earnestly for a copie of the commission you seeme to intend to plead to the jurisdiction, which wee shall not allow; let that be sayd once for all, wee will not suffer our authority to be disputed, and, therefore, if it be on that you would aduise and haue councell,

you may goe on; wee shall not suffer that. But, sayd the Bishop, I am not prepared to speake, either to the forme of the proceedings or the matter of my answer. As to the forme, says my Lord Chancellor, we haue none; we expect your answer to the matter; what say you to that? The Bishop sayd he had not had tyme, nor was prepared to giue answer, satisfactory to himselfe, much less such as their lordships did expect. Where-vpon the Lord Chancellor sayd, It is very inconuenient to their lordships to trauell thus backward and forward; that he was in a course of phisick, labouringe vnder a terrible disease; that he came from Tunbridge, where he was drinkinge the waters, and must returne thither againe, but yet if he were not now readie, when will you be readie? what tyme doe you desire? Where-vpon the Bishop sayd, A fortnight. When they were bid to withdraw, and the Commissioners debated a good tyme before they called in the Bishop againe, but when he was come in, the Lord Chancellor told him their lordships had giuen him tyme to the next day fortnight. Note: The press was so great about the dore that the Commissioners ordered two musketeeres to stand at the dore that went out of the gallery into the lobbie. I was very desirous to haue gone in, but I could not indure the crowd, and what I haue writen I tooke from an vnderstanding freind that had the good luck to croude in now, as he did the first day. Note, too, that some wondered the Bishop did not lay hold of the Chancellor's words, and craue tyme vntill his course for takeing the waters was ouer. But my Lord London had been informed his desiringe at first tyme vntill neere the tearme was ill taken, and as if he sought delay only, and therefore he askt no more tyme now, vnderstanding the Commissioners would haue granted 3 weekes tyme at first if he had desired not soe longe tyme; which is the true reason of his askeing but a fortnight now.

The Bishop craued longer tyme.

On Tewsday the last day of August the Lord Bishop appeared again before the same six Lords, and pleaded (*not in*

He appeared, and made his defence, part by word of mouth;

writing, tho' he had a paper in his hand,) to the jurisdiction and legality of the commission, sayinge, he had aduised with as good common lawyers as the towne afforded, who had giuen it vnder their hands, and were ready to make good their opinions, that the power of such commissions was taken from the Crowne by Act of Parliament, if their lordships would heare them, but he spared nameing them till he knew their lordships' judgment in that point. The Lord Chancellor sayd, he would allow no such plea. Then the Bishop desired that might be saued to him, and protested his plea ought to be receaued, and prayed that his protest might be entred; and then he alledged that he ought first to haue ben summoned and answered before the Metropolitan, from whose sentence, if occasion were, he might haue appealed; and desired his councill might be heard to that point; but that was ouer-ruled too as a branch of the former plea; wherevpon the Bishop desired again his protest might be taken and entred. And then disclaiminge any designe of disobedience or contempt to his Majesties command in the perticular case of Dr. Sharpe, wherein he had don all he could, as he was aduised by his Chancellor, and other ciuill lawyers; for he had sent for Dr. Sharpe, and shewed him the precept he had receaued, and aduised the doctor to forbeare preaching till he could satisfie his Majesty, which the doctor promised to doe, and did accordingly. The Bishop sayd, Vpon the receit of the summons, and pursuant to the opinion and aduice of his council, he writ back to the Lord President, from whom he receaued the command, that he was aduised that he could not legally suspend the Doctor, haueing neuer cited him, nor had order so to doe, which was acording to the cannon law, as his councill were ready to make out; for the cannon was, if the Prince requires a Bishop to doe any thinge which by law he ought not to doe, that the Bishop is to write back againe to the Prince, informinge him thereof; and if the Prince notwithstanding insist on his

but he deliuerd his answer in writing, and also Dr. Sharp's petition to the King.

And entred, or desired his protest might be entred.

command, the Bishop is to submit and suffer, but ought not to doe the vnlawfull command. This he had followed, and writ to the Lord President, from whom he had the precept, but neuer heard more of it, vntill he was summoned to appear before their Lordships. And to this point he desired his councill might be heard. He was required to withdraw, and, after a considerable tyme in debate amongst themselues, their Lordships called him in again, and allowed his councill to speake. There were fower doctors, Dr. Oldish, Dr. Hedges, Dr. Brice, and Dr. Newton. They insisted much that all was done by the Bishop which could legally be done, and cyted cannons and precedents in the point: and one of them sayd, he could not omit obseruinge that the precept was so penned that no man could certeinly say what the command was; for it required the Bishop to suspend the Doctor from preaching within his diocess, but suspencion and silencing are very different things; the Bishop might silence in his chamber or house verbally, but suspencion is neuer but on process, it beinge an act of court. That the Kinge had the effect of his command, tho' not the formall judgment, for the Bishop had silenced effectually the Doctor, who had obeyed, and had neuer preached since. Neither did the precept say whether the Doctor should be suspended *ab officio*, or *beneficio*, or both; and much more to this purpose; and concluded that the Bishop could not possibly be in contempt. The King's Aduocate, Dr. Pitfold, was present, but made no answer, nor did any body say any thinge but the Lord Chancellor, who sayd the Bishop should attend again on Munday next, when he should heare the judgment of the court. On Munday the Lords Commissioners (the six) met again in the Robes chamber, and, beinge sate, they had discourse an hower at least amongst themselues; at length they called the Bishop in. The Lord Chancellor spoke to him (but so very low that he was heard by very few), and told him that the Lords Commissioners were come to a resolution, and had

6 September the Lords Commissioners met again, and called the Bishop before them.

formed an Act which he should heare read, and required the Register to reade it, which was, that, by authority of his Majesties Commission for Ecclesiasticall Affairs, Henry Lord Bishop of London, *for manifest contempts against his Majesty*, not obeying his Majesties command, and other contempts, was suspended from exercising all episcopall jurisdiction during the King's Majesties pleasure, on pain of depriuation. And so the company was bid to withdraw. The Lords Commissioners sate a considerable tyme, but on what they debated I heare not. Note: I wayted on my Lord Bishop at his house, who told me [the] words were not for manifest contempts, but for not obeyinge his Majesties command in the suspending Dr. Sharpe, and other contempts. He sayd he did desire to speake before their clerke did read; but the Lord Chancellor sayd they had satisfied themselues, and should heare no more, and commanded the Register to read the Act.

The Commissioners suspend him from all episcopal jurisdiction by Act of Court.

See a more exact narrative, which I haue since procured, and if I enter it not, I will leaue it annexed to this book, with the commission it selfe.

News came to towne that on the 2d of September, *novo stilo*, Buda was taken by storme. A perticular account is expected. The King's son, Charles Fitz-James, was with the detachment, and hindered the Turks (commanded for that purpose) from entring into the town.

Buda taken by storme.

At the Commission of Oyer and Terminer at the Old Baily, a soldier was tryed for runninge from his colours, and found guilty of felony. The Recorder, Serjeant Holt, doubted whether it were felony now, the Kinge haueinge no war nor enemy. It is to be obserued there be two statutes concerninge this matter; the first was enacted 7 Henry VII. cap. 1, the other 3 Henry VIII. cap. v., both which seeme in common readinge to extend only to such as are reteined to serue the Kinge in his wars on the sea, or on land beyond the seas. The Recorder delayed to giue judgment, and acquainted the Lord Chancellor Jefferies with his doubt. He informed his Majestie, who ordered the sumoning of the Judges, and the adjournment of the Sessions. Nine of the Judges met, and were of opinion different from

A soldier tryed at the Old Baily for felony, for runninge from his colours. Serjeant Holt, the Recorder, doubtfull of the law, or rather thincks the law not to reach the case.

the Recorder; yet he would not giue judgment; but in his absence his Deputy gaue judgment, and the soldier was executed.

The King writes into Scotland, and dispences with the penal lawes against Papists for his life.

His Majesty wrote to his Lords of his Council in Scotland to this effect: that whereas he had sent to the Parliament of Scotland, requiring them to suspend the penal laws against his subiects of the Roman Catholick relligion there, which they had refused; and whereas he had that power in himselfe as Kinge to suspend the sayd laws duringe his life; his Majestie giues men notice thereby that he doth suspend the sayd laws duringe his said life, and requires them to see that this his pleasure be obeyed. The Kinge issued his proclamation for adiourninge the Parliament from the 22d of Nouember to the 15th of February next, which proclamation was inserted in terminis in the next Gazet, in a forme of words differinge from any precedent. It was only sayd in it the Lords (not spiritual and temporal), and the Knights, Citizens, and Burgesss, &c. and concluded again the Lords, Knights, Citizens, and Burgesses are to take notice and attend at the day and place at their perills. Notice beinge taken of the omission of the Lords spiritual and temporal, in the next Gazet in the front was this excuse made.

The Parliament prorogued by proclamation.

Errors in the proclamation rectified.

"Whereas a proclamation for the proroguing of the Parliament, was printed and published in the last Munday's Gazette before the same came to be sealed, which, when it came to the seale, was found therein to haue some mistakes; which, beinge rectified, the said proclamation is since past the seale, and ordered to be published by his Majesties especial command."

A second proclamation, in which is rectified the mistakes about the Lords.

This second impression of the proclamation (for the former was printed and vended all about the towne) hath rectified in both places the mistake and omission of Lords spirituall and temporal, but hath left the paine as it was, which vsually was only "whereof the Lords spirituall, &c. are to take notice and giue

their attendance accordingly;" and once, I remember, it sayd, "as they tender our displeasure." Now I haue been told the forme and order of proclamations is vsually and constantly thus: when the Kinge in Council resolues vpon the thing, the Atturney Generall is directed to draw a proclamation to the intent and sence of the Kinge in councill, which, when the Attorney hath prepared, he brings to the King in Councill, and there it is altered or amended, if neede be; that beinge done, or if no alteration be made, it is ingrossed in parchment, and brought to his Majesty, who signes it at the top, and a secretary counter-signes it, and then the printer, after a few are printed, brings them and the parchment to the Lord Chancellor, who sets the seale to the prints, and then the printer is authorised to print as many as will serue the turne, and they are authentick. Now, whether this mistake were the Atturney Generall's or the Chancellor's, or both, I shall not inquire; but it is sufficient the error is acknowledged, be it where it will.

Sir Thomas Exton summoned before the Commissioners.

The Commissioners for ecclesiasticall matters haue summoned Sir Thomas Exton; for what, he is to know when he appeares. He is by office Chancellor to the Bishop of London; since the death of Sir Robert Wyseman he is Vicar Generall to the Archbishop of Canterburie; and since the death of Dr. Sir Richard Lloyd, he is Judge of the Court of Admiralty; he likewise was the King's Aduocate since Sir Robert Wyseman dyed. As Chancellor the Bishop aduised with him in the case of Dr. Sharpe, and for that aduice it is supposed he is cited; but wee shall know the cause very speedily.

Commission for the spiritualities in the diocese of London.

His Majesty hath granted a commission for the spiritualities in the diocess of London, duringe the suspension of the Bishop, vnto Dr. Crew, Bishop of Durham, Dr. Sprat, Bishop of Rochester, and to the Bishop of Peterburrogh.

The Archbishop suspended from the councill.

His Majesty finding the want of health kept the Archbishop from attendinge the commission for ecclesiasticall matters, hath

dispensed with his attendance at the Council Table, or at White Hall.

Earle of Tirconnell sworne PrivyCouncellor.

The eighth day of this instant October the Earl of Tirconnel was sworne of the Priuie Council, and tooke his place, and is the fifth of the Popish relligion at the Board.

Three Bishops consecrated at Lambeth.

The 17th of the same month Dr. John Lloyd, Bishop of St. David's, Dr. Samuel Parker, Bishop of Oxford, and Dr. Thomas Cartwright, Bishop of Chester, were consecrated at Lambeth by the Archbishop of Canterbury, assisted by the Bishops of Durham, Norwich, Ely, and Rochester.

Sir Thomas Exton his answere.

Sir Thomas Exton appearinge before the Lords High Commissioners, the Lord Chancellor told him he was summoned to giue his reason why he gaue to his Majesty, in the case of Dr. Sharpe, aduice one way at Windsor, and to the Lord Bishop of London quite other aduice at London, adding, The aduice you gaue the Kinge was good, and agreable to law, but what you aduised the Bishop was quite contrary. He desired to know what the aduices were that he gaue. "Your lordships say the aduice I gaue the Kinge was good, and agreable to law; I desire to know what aduice it is said I gaue my Lord Bishop:" and craued they would deferr the matter vntill his lordship's returne to London, when he doubted not but it would appear both was very well consistant; which beinge not granted, he says, What he aduised, and what the Lord Bishop did to the Doctor, was such as, if he had obeyed (as he did, and so the Kinge had the effect of his command,) the Bishop might haue suspended the Doctor *ab officio et beneficio,* and this he could make out to be law. He was bid withdraw, and so it rests.

Samuel Johnson sentenced in the King's Bench to stand in the pillory twice, and to be whipt from Newgat to Tiburn.

Samuel Johnson, who was indicted and conuicted the last tearme in the King's Bench for high misdemeanours in writing and publishing two papers, libellous and seditious, was this tearme sentenced to stand in the pillory two tymes, and to be whipt from Newgate to Tyburne, and fined 500 marks; and this

day, the 22nd of November, 1686, he stood in the pillory before Westminster Hall Gate, haueinge been degraded on Saturday 20th, after haueing been brought before the Lords Bishops of Durham, the Bishops of Rochester and Peterburrough, Commissioners appointed by his Majesty to exercise all manner of ecclesiasticall jurisdiction within the dioces of London during the suspencion of the Lord Bishop of London, who were met in the Chapter or Conuocation House at St. Paul's, with seuerall of the diuines about the city, where the said Samuel Johnson, acording to the ecclesiasticall law, in a full Court receaued sentence of degradation, and was degraded and deuested acordingly, in this manner, as I heare; A Bible putt into his hand, it was taken from him; then his gowne taken off, his girdle from about him, and his cassock, and then was pronounced and declared to be a meere layman, and then deliuered as such to the secular officer to vndergo the punishment aboue mentioned. At the pronouncinge sentence in the King's Bench I am informed he sayd, You whip vpon my back Acts of Parliament and the Church of England. Addinge, It is strange that I must be whipt for manteininge the laws, and the Protestant relligion, when dayly are printed and published books conteininge treason. And the Court sayinge that was more then they knew, he produced Slaughter's book of the reasons of his turning Papist, and beinge reconciled to the Church of Rome, which is treason by the law; and he called on the Atturney General to vse his office against him. He produced the Rosiarie, and had seuerall others in his pocket, and vnder his cassock, some of which he threw towards the Atturney-general. At his degradation he spake more modestly, they say; yet he told them he did see three bishops there, Protestants, he hoped, but he did not see the Bishop of London, his diocessan there; and if he were sequestred, as he had heard he was, then the jurisdiction fell of course to the Metropolitan, the

Samuel Johnson degraded, and the manner how.

His carriage and demeanour at the King's Bench, and at his degradation.

Archbishop of Canterbury. They told him they had sufficient authority by the King's commission, duringe the suspencion of the Lord Bishop of London, to execute all ecclesiasticall jurisdiction in the diocess of London.

The Parliament prorogued to the 15th of February, and by commission too, notwithstanding the proclamation.

The same 22nd day of November beinge the day to which the Parliament was by commission prorogued, notwithstanding the proclamations before mentioned, (intimation was priuately giuen by the Lord Chancellour to the Lords, and by the Speaker to some members, who dispersed it to the rest,) seuerall Lords and about 150 or 200 Commoners met, and beinge sent for by the Lords Commissioners, and others, by the Gentleman Vsher of the Black Rod, he deliuerd his message, That the Lords desired the Speaker and the House to come presently into the House of Lords to heare the King's commission read; which beinge done, the commission was read, and the Parliament prorogued to the 15th day of February next. It semeth that some members of the House of Commons, and some Lords too, I heare, doubted very much whether, if the Houses met not on the day to which it was prorogued, the Parliament were not *sine die* notwithstanding the proclamation. The principall reasons alledged were, the proclamation beinge before the day of appearance, could not make a continuance of, but would be a discontinuance of, the Parliament. And then they say the Lords' Journal is a record, and the prorogation of the Parliament ought to be entred there, which the proclamation could not be. For my owne perticular, I am glad matters are brought into the vsual track, and I thinck the Kinge had reason to auoid the disputing of a moote point. And yet I cannot but thinck the Kinge had power by proclamation to prorogue, and that would haue been good, for the Parliament comes and goes, it liues and dyes, by the King's will and pleasure. Dissolue he may by proclamation as well as by commission, or by word of mouth, by the Chancellor in his presence, or by himselfe, or other

Peere, and why then he should not prorogue is not easy for me to apprehend. And for the recordinge the prorogation, does not the commission come out of Chancery, and is recorded there by the Clerke of the Crown? which is more of validity then the journal; and is not the proclamation recorded in Chancery too? so that it is sufficiently recorded that the Parliament is prorogued. Now the manner of passing and preparing a proclamation, as I haue before recited, is very solemn, and authenticked vnder the Great Seale; and recorded too in Chancery, I thinck, besides the Council books. But this point is now sufficiently setled.

Papists in commission of the peace, and officers of the army.

The King haueing appointed a Committee of his Councill to inspect the Commissions of the Peace through out all the counties, they haue met, and haue left some out, and haue putt in others. The new are for the most part Papists; in Essex, the Lord Petre, two John Petres, &c. The officers of the army too are added euery where. December the 18th his Maiesty constituted Dr. Raines (who is Judge of the Prerogatiue Court) Judge of the Admiralty, in roome of Sir Thomas Exton, who had notice from the Lord Chancellor to desist from medling in that affaire any more. The 7th of this month Mr. Henry Coventry, some tyme Secretary of State, died at his house in the Haymarket, by Piccadilly, and was buried priuately at St. Martin's, his parish church. This gentleman was one of the younger sons of Thomas Lord Coventry, Lord Keeper of the Great Seale vnder Kinge Charles the First. The present Lord Coventry is grandson to him by his first wife.* His second wife was the widow of one William Pichford, citizen of London, and her father's name was Hoskins.† By her he had many children, sons and daughters. The eldest son was John

Dr. Exton remoued from, and Dr. Raines made Judge of the Admiralty.

Mr. Henry Coventry died 7th December, 86.

The Lord Keeper Coventry, his wiues and children.

* Sarah, daughter of Edward Sebright, of Blacksol, Worcestershire, mother of John, the fourth baron, who succeeded his brother George in 1680, and died in 1687, s. p.

† Collins describes this lady as daughter of John Aldersey, of Spurston, in Cheshire, and widow of William Pitchford.—*Peerage*, 1774.

Coventry, who had issue Sir John Coventry, one of the Knights of the Bath at the coronation of King Charles the Second; his second son was Francis, who was called to the bar in the Inner Temple, and did practise the law, and maried the widow Cæsar, and had children by her. Duringe the war he went into Holland, where his wife died, and he after married with the widow of Edmund Hoskins, serieant at law. The third son was the afore mentioned Henry Coventry. He had his education in Al-Soules College, in Oxford, and was a Fellow of that college, where he studied the ciuil law; but in the war lost his fellowship, and trauelled, and returned with the Kinge Charles the 2d. He was a man of good learning and parts, and was imployed in seuerall embassies, and treated seuerall leagues, amongst others, the famous Triple League, which the French outwitted vs in and broake. At his returne from Sweden, where he was ambassador, he was made Secretary of State; but was remoued, and had recompence to his satisfaction (for indeed he was growne infirme by the gout), but was continued in the Priuie Councill, both by Kinge Charles the 2d and the present Kinge, James the 2d. The youngest son was Sir William Coventry. He was younge when the war began, and so had not the education of the uniuersity, but yet had a good tutor, who made him a schollar, and he trauelled, and got the Frenche language in good perfection. At the returne of the Kinge, he was made Secretary to the Duke of York, Lord High Admerall, in which place he got vastly; for all officers of the nauy were to haue patents, and his fees, beside presents, were very great. In the House of Commons he shewed his great parts, and was one of those that vndermined the Chancellor, the Earl of Clarendon, and put faire to haue been Prime Minister of State; but was serued by the Duke of Buckingham and others as he had serued the Chancellour. He died, very welthie, at Tunbridge, this last summer, 1686, and gaue 5,000*l.* toward the redemption of captiues, and for releife of poor French Protestants who

fled hither from the oppression of the Frenche Kinge, whose crueltie to them is hardly to be beleiued by any that felt it not. He, as did his brother Henry, made Francis, son of their brother Francis, heire to theire estates, togeather with Mr. Henry Thin, one of the younger sons of Sir Henry Frederick Thin,* who maried their sister. This lord † had seueral daughters by the second venter. He had one maried to Sir John Hare, of Norfolk; one to Sir John Packington, in Worcestershire; one maried to Sir William Savil, father of the present Lord Marques Hallifax; another maried to Sir Anthony Ashly Cooper (after Earle of Shaftsburie); and another maried to Sir Henry Frederick Thin, aboue mentioned.

Mass in the new built chappell at White Hall.

On Christmas Day, before one in the morninge, this year, 1686, was mass sayd in the New Chappel at Whitehall, which had no other forme of consecration, that I can hear of, but a marble stone consecrated at Rome, and blest by the Pope, was brought and placed vnder the altar (sufficient, no doubt, to sanctifie the whole chappel). On New Yeares Day a statue in brass was to be seen (placed the day before) in the yard at Whitehall, made by Gibbons, at the charge of Toby Rustick, ‡ of the present King, James the 2d.

The King's statue in brass set vp in White Hall.

Lord Treasurer, the Earle of Rochester, remoued.

The Earle of Rochester, Lord Treasurer of England, the fifth instant, did deliuer vp the staff about eleuen of the clock at night, and went the next day to New Parke, in Richmond, which the Kinge had granted to him but a litle before; where he had for seuerall weekes 100 men at work in his gardens, &c. At his parting with this, his Majestie gaue him 2,000*l.* per annum inheritance out of the Lord Grey's estate, and 4000*l.* per annum for eighty years, if he or his son liued so longe, out of the Post Office. The intreague of this remoual came from the preists,

* Ancestor of the Marquesses of Bath.

† *i. e.* the first Lord Coventry.

‡ No doubt the statue still remaining. The name should be Tobias Rustat, a public spirited man, and grateful servant of the later Stuarts.

and he was required to be reconciled to the Church of Rome; for it was not fitt those in place so neere his Majestie should profess a relligion different to that his Majesty was of. I shall here take occasion to set downe some things concerninge the family of the Hides. The family came out of Chesheire (where the name and original family remaine yet), and setled at Hatch, in Wiltshire, from whence came those of that name still there. Sir Lawrence Hyde, Atturney to Queen Ann, wife of Kinge James the First, who had a numerous issue, eight or nine sons, amongst which was Sir Robert Hyde, Lord Chief Justice of the King's Bench in the raigne of King Charles II.; another, Dr. Alexander Hyde, was Bishop of Salsburie; another, Sir Henry Hyde, Ambassador for King Charles I. at Constantinople. This man was taken by Sir Thomas Bendish (Ambassador there also) and sent ouer, and tryed and executed by the rebels at London. Another of the sons was Frederick Hyde, a serjeant at law; his name was giuen him by the sayd Queene Ann. Seueral others he had; diuines, ciuilian, and a doctor of phisick. From the same roote came Sir Nicholas Hyde (before mentioned), Lord Chief Justice of the King's Bench in Kinge Charles the First his tyme; he setled his family in Wiltsheire. The next was Mr. [Henry] Hyde, of Purton, in Wiltsheire. He was bred at the Temple, as his two brothers were, but neuer practised the law (I thinck). He left that smal estate to his son Edward,* who was intended for an uniuersity life, and was educated in Magdalen Hall, in Oxford, where he proceeded Bachilor of Arts; but his elder brother dyinge, and his father dead also, he remoued to the Midle Temple, where his two vncles were at that tyme benchers, and in good esteeme. There he continued, and was called to the barr; and, beinge a scholar, and of good parts, grew into acquaintance with the best-accomplished gentlemen of his tyme; amongst others, Sir Lucius Carew, the renowned

The family of the Hydes.

Sir Lawrence Hyde.

Sir Robert Hyde.

Sir Nicholas Hyde.

Edward Hyde, Earl Clarendon, Lord Chancellor.

* He was the third son, but his elder brothers died young; their mother was Mary, daughter of Edward Langford, of Trowbridge.

Lord of Faulkland, Sidney Godolphin, noe les famous, Mr. Thomas Carew, Mr. Charles Cotton,* and many others. Soone after he was called to the barr, he maried a daughter of Sir George Ayloff, in Wiltsheire, who beinge allied at some distance to the family of the Villars, and Sir Henry Wootton hauing writ a paralel betweene the Duke of Buckingham and the Earle of Essex, both fauourites in their tyme, he writ their disparity, and did it so to the satisfaction of the then Kinge that his Majestie would haue had him to haue written his life. (Both the parity and the disparity are in print, wherefore I shall say nothinge of them.) His first wife died leauinge no issue, and he tooke to wife the daughter of Sir Thomas Aylsburie, at that tyme Master of Requests; and there beinge then a court of equity held by the Lord Priuie Seale, Mountague Earl of Manchester, which court gaue name to the great roome called still by that name, where sate with the Lord Priuie Seale the fower Masters of Requests; and there did Mr. Hyde practice, and was in good imployment there; but the Parliament which began 3d November 1640 soone put end to that, as it did to the Star Chamber, the Martials Court, and Councill Table. Of this Parliament was Mr. Hyde a member, and for a while was very popular, makeinge (as others did) great harangues, as I haue formerly hinted. But the good Kinge, haueinge deliuered (by his concessions) himselfe and all his antient trustie freinds, seruants, and counsellors into the power of the two Houses, was forced to aduise with younger heads, and amongst others with this Mr. Hyde; and tumults and great disorders arising, his Majestie withdrewe himselfe from London by their aduice, and Mr. Hyde went to him to Theobalds, and with him to Yorke, and to Nottingham, and to Oxford after the batle at Edge Hill; and the King sending the Prince into the West, he was, with the

His two wiues, Ayloff and Aylesbury.

He was a member of the Parliament 1640.

How he behaued himselfe in the House.

Withdrawes with the Kinge into the North,

and his employments vnder that Kinge.

* Thomas Carew and Charles Cotton, the poets of the name. Lord Clarendon, in his Life, gives good biographical notices of these friends of his youth.

Lord Capel and Sir Ralph afterwards Lord Hopton, sent to attend him there, from whence it being thought fit he should remoue, Mr. Hyde, now Sir Edward, and Chancellor of the Exchequer, went with his Highnes into Sylly, and so from place to place, with the Prince, during the rest of the war, and continued with him vntill his Majestie returned, beinge after the death of Sir Edward Herbert made Lord Chancellor, and with that tytle returned with the King Charles II. in the year 1660, yet not without the enuie of many of the loyall party. Beinge thus returned, himselfe, the Duke of Ormond, and the Earle of Southampton, beinge Chancellor, Steward of the Household, and Treasurer of England, had the principal management of affaires, and so longe as the Treasurer liued they all stood firme, yet enuied; but he dyinge, and Ormund gone for Ireland as Lord Lieutenant, the aspiring younge men at Court found opportunities by the woemen, cheifly the Dutches of Cleveland (for that tytle she had conferred on her, beinge the King's minion, tho' the wife of a priuat gentleman, Roger Palmer esquire, afterwards for her sake made Earl of Castlemain), and the debauched fellowes about the Kinge, they wrought his Majestie into a wearines first, and soone after, loathing of the Chancellor, who deliuerd him vp to the malice of his enemies, most of which were in the Commons House of Parliament, and found it necessary for their owne ends that he should be remoued, which the King did, and suffered him to be impeached by the House of Commons, who prest the Lords to commit him, tho' but generally accused, which the Lords refused, and he thereby got tyme to prouide for his escape, which he made, and retired into France, where he died.* This the Kinge did to an

Sent into the West with the Prince, and went ouer sea with him.

Returns with the King, Charles 2, fell into truble, is impeached, and flyes, and by Act of Parliament is barred from returninge on forfeiture of his life.

He dies in exile.

* Subjoined is a copy of the original order for the apprehension of the Earl of Clarendon, preserved amongst the archives at Skreens, bearing the signature of the Duke of York, and directed to Sir John Bramston, his Vice-Admiral. It is remarkable that this document was addressed by the ex-Chancellor's son-in-law to his intimate friend and former chamber-fellow ; and perhaps on this account the King's pleasure is so pointedly

old seruant, altho' his brother (the then Duke of Yorke) had married his eldest daughter Ann, by whome he had seuerall children, but all dead, except Mary Princess of Aurange, and Ann, married to the Prince George of Denmarke.) Both marriages were after the deaths of the Chancellor and of the Dutches of Yorke. The eldest son of the Chancellor married soone after the returne of the Kinge vnto one of the daughters of the Lord Capel, that most worthy person, taken in, and with the towne of Colchester, by the Lord Ferfax, General of the Parliament's forces, and after condemned by a High Court of Justice (as they stiled it), as was the Duke of Hambledon and the Earle of Holland, all which had their heads cutt off on a scaffold in Westminster Hall Yard. By this lady, his sayd son had only one son, named after the grandfather's name Edward, the father's name beinge Henry. The second son, Lawrence, was

His children, and how disposed of, and their marriages.

Ann Dutchess of Yorke.

Henry, the eldest.

Lawrence, the 2d.

declared in the instrument that the blame might be laid to him, instead of his brother. The paper is also of importance as refuting the assertion of one of our recent historians, *that Lord Clarendon received a Royal Order to withdraw.*

(Admiralty Seal.)

James, Duke of York and Albany, Earle of Ulster, Lord High Admiral of England and Ireland, Constable of Dover Castle, Lord Warden of the Cinque Ports, and Governor of Portsmouth:

Whereas the King, my soveraigne Lord and Brother, hath beene pleased to signify his pleasure unto me that I should forthwith send orders unto the severall ports in the kingdom that all care and diligence be used to prevent and hinder the escape of the Earle of Clarendon, who is lately withdrawne:

These are therefore to will and require you forthwith to give orders unto your officers that they use all care and diligence to prevent and hinder the escape of the said Earle of Clarendon by any of the ports, creeks, or places within your jurisdiction. And for so doing this shal be your warrant.

Given under my hand and seale, at Whitehall, this 3d day of December, 1667,

JAMES.

To Sir John Brampston, Knight of the Bath, my Vice-Admiral of the County of Essex, or to his deputy or deputyes.

By command of his Royal Highness,

M. WREN.

Master of the Robes to the Kinge, and continued in his fauor vntil a litle before the King's death. He married a daughter of the Earle of Corke and Burlington: of him I shall presently speake more largely. The Chancellor had 2 sons by his second wife, (all now titled by his first,) Edward and James. The former he intended for the study of the law, but he fell sick of the small pox, and died; a hopefull younge man he was. The other, James, goinge with his now Majesty, then Duke of Yorke, into Scotland by sea, the ship * ran on ground, and the Duke and others got into another ship by the helpe of boates, which, least they should be ouer-loaded, put from the ship, and the ship soone after sincking, he, with many others, were swallowed vp in the sea. The second son, Lawrence, continuing in fauor with his Majesty Charles II., was sent Ambassador vnto many Princes in Germany, Sweden, &c.; at his returne had tytles of honor conferred on him; and the Earl of Danby beinge impeached by the Commons, and committed by the Lords to the Tower (whose story I shall set forth hereafter), and so the Treasurership vacant, the King appointed Commissioners, and amongst others this Lawrence, Earle (now) of Rochester. Those joyned with him were Sydney Godolphin, Sir John Ernly, Chancellor of the Exchequer, Sir Edward Deering, and Sir Stephen Fox. In this office he continued a good while, vntil his then Majesty King Charles II. preferred him to be Lord Priuie Seale, remouing the Earl of Radnor, Roberts, from that dignity, and gaue opportunity to the Marques Hallifax to say the Earl of Rochester was kickt vp staires. He was nominated by the same King to goe Lieuftenant into Ireland, but with very limited power, and in this state he stood when that King died. His successor King James the Second, judginge that Commissioners looked too like Commonwealth gouernment, soon made the Earl of Rochester Lord Treasurer, and the Marquess of Hallifax Lord Priuie Seale, which he kept not longe, but

Edward, the 3d.

James, the 4th son, was drowned.

His daughters. The Lady Frances, maried, after his death, with Mr. Keightly, at that time a Papist, and a seruant to the Duke of Yorke; but he lost that seruice, and fell into displeasure, changed his religion; but neither he nor she were euer reconciled to the Duches.

Of the brothers.

The Master of the Robes, Lawrence, sent Ambassador.

He is made a Commissioner for the Treasury.

Remoued, and made Lord President of the Councill.

He is named to goe into Ireland, Lord Lieutenant, and Hallifax Lord Privy Seale.

After the death of Charles II. he is made Lord Treasurer by

* The Gloucester man-of-war, of which Edward Hyde was Lieutenant.

was kickt downe staires, and the Earl of Clarendon was made Priuy Seale, and continued that office, which he executed by Commissioners, Mr. Spencer* (now Lord Tiveot), Colonel Robert Phillips, and Mr. John Evelin), tho' he went into Ireland Lord Lieutenant; an vnfortunate employment to his Lordship, for in very litle more then a yeare he is recalled, and is now returninge without doinge his fortune or family any good, but rather imparinge, if not ruininge, both. The Earl of Rochester continued Treasurer to the fifth of the last month, as is before sayd, when he found the conditions of holding it would be more detrimental to his honor and conscience then parting with it, and the King, changeing his mind, putt the Treasurie into the hands of fiue Commissioners, the Lord Bellases, the Lord Godolphin, the Lord Dover, Sir John Ernly, Chancellor of the Exchequer, and Sir Stephen Fox.

James II., and Hallifax is made Privy Seale, who is remoued, and the Lord Clarendon has the Privy Seale.

Lord Clarendon declared Lord Lieutenant of Ireland, and continues the office of Privy Seal, which he executes in his absence by Lord Tiviot, Colonel Phillips, and John Evelin.

The Treasurer remoued, and the Treasury in Commissioners, Lord Bellasis, Lord Godolphin, Lord Dover, Sir John Ernly, and Sir Stephen Fox, 5 January, 1686.

And here, I thinck, I may giue an end to my storie about my petition for the arears of the pension to my brother. I had, after the death of my brother, applied myselfe to the Earl of Rochester, then a Commissioner for the Treasury, and he gaue me assurance he would endeauor to effect it for me, saying, if he had liued to that tearme it was resolued he should be a Judge again.† I continued to sollicite him, and he neuer sent me away without new assurance to performe his word, and effect the business for me, but, after years attendance, and a multitude of fine words, at last he sayd he wanted a helpe (which, as I haue already sayd, I procured), I meane one to moue the King in his presence in my behalfe, and that was my honored reall freind the Lord Keeper North, Lord of Guilford, and his Majesty gaue him order to see it done, as they both told me. I sollicited on, and had good words still. At length he was remoued out of the Treasury, and then I was at a loss, and went to him to know what I was to doe. He sayd, Either you must get your freind the

The story of the pension pursued and ended.

Lord Keeper North my real freind in that affaire.

* Robert Spencer, brother of Henry 1st Earl of Sunderland, created Viscount Teviot in Scotland 1685 ; ob. s. p.

† *i. e.* Francis Bramston.

Keeper to speake to the Kinge againe, or I must speake to the Lord Godolphin (for he hauing been remoued from the Treasury was made Secretary of State, and now againe remoued from that office to be a Commissioner of the Treasury.) I was not willinge to importune the Lord Keeper any more, I sayd, in a matter not properly within his prouince. He replyed, Then I must speake to the Lord Godolphin, which yet he neuer did, tho' as I went from him Godolphin entred his chamber; and so stood my busines when this Kinge came to the crowne, and in that state were his Lordship's affaires too, that King Charles II. haueinge resolued to be quit of him, and yet neuer intending he should goe into Ireland, tho' declared for that office at the Councill by his Majesty. He beinge now Lord Treasurer, and his brother Lord Priuie Seale, I thought I had two firme strings to my bow, and aduised with both what I was to doe. They told me I must petition the Kinge, and my Lord Privy Seal appointed me a day to be at Windsor, when he would be there and present me to the King, that I might haue opportunity to deliuer my petition, which he could not doe that day, the Kinge beinge gone a shooting, and returned not before nine of clock at night; but the next morninge he carried me into the King's bed-chamber, and I deliuered my petition ; but the Judges, I meane the Chief Justice Jefferies, came at that moment into the bed-chamber, and some others. The King put vp my petition without reading it, tho' my Lord Clarendon kindly told the Kinge the petition concerned myselfe. At noone I hoped to haue spoken with the Kinge, but then all the Judges that had been in the West tryinge the rebells came to giue his Majesty an account of their actings, and I was disappointed. That day I dined with my Lord Clarendon, at Sir Stephen Fox his lodgeings, where his Lordship aduised me to returne that afternoone, and he would be responsible to me for an answer from the Kinge to my petition. I came away well pleased, his Lordship telling he would be in towne on Tewsday, this beinge Sunday, and the King beinge also to remoue

The aduice my Lord Treasurer gaue me, and also the Earl of Clarendon.

I petitioned the King at Windsor, but neuer heard more of it.

How the Lord Privy Seal vsed me from the tyme I deliuerd my petition to his going for Ireland.

that weeke. I came acordingly, but he had not spoken to the Kinge, nor had the King deliuerd my petition to his brother the Lord Treasurer. He appointed me to come again, which I did, and again and again; at last he beinge declared Lord Lieutenant of Ireland, and his tyme of goeinge being now set certeinly, I attended him more closely. Som tymes he sayd the Kinge had not deliuerd my petition to his brother, but would very speedily; at last, he sayd he beleiued he had, but yet neither the Kinge nor his brother had told him so, but he would speake to both before he went, as neere as the tyme was, (for I prest him by that argument both in person and in letters:) and yet, after all these promises, he went away, and, I feare, spake to neither, for that very morninge that he set forth I was with him before he was drest, and I found with him Mr. Longevill signing and sealing writings. His Lordship told me he had not spoken to the Kinge, but he would doe it when he tooke his leaue, and that his brother had promised to assist me all he could. I was goinge, but Longevill whisperd me he had done, and prayed me to stay for him, and we went away togeather; and I tellinge him my Lord had promised me to speake to the Kinge when he tooke his leaue, "Why," says he, "my Lord told me, just before you came, that he had taken leaue of the King, and was to see him no more."* Nor in truth did he, but went immediately, so soone as he was drest, into St. James's to the Lady Thanet's house, where his company met him, that beinge more conuenient then at the Cock-pit where he lay, and so away to St. Alban's, in his way for Ireland. After a few dayes, I went to my Lord Treasurer; he told me, The Kinge hath not deliuerd your petition to me (his Lordship was present when I deliuerd my petition at Windsor a quarter of a yeare before). I askt, What am I then to doe? he sayd, You must petition again, for there is no asking him what he hath done with the

After the Lieutenant was gone, what my Lord Thanet sayd to me concerning that affair.

* This is an amusing account of the manner in which official characters too often get rid of pressing applications.

other. I did draw another, and annexed reasons as I thought forcible, and distinguishing the case from the cases of the other Judges remoued with my brother, and set out some of the sufferings of my father, my-selfe, and our family in the war. This petition I deliuered at Windsor the 4th of October, 1685, and returned the same day, the Lord Clarendon promisinge to haue the King's answer; but none was giuen, and the Earle was gone for Ireland 16 December, 1685. My second petition was presented to his Majesty in his bed-chamber the 14th day of April, 1686. When I deliuerd the petition, I craued the King's pardon for filling his hand with paper, for there were two certificats annexed (one from Sir Robert Howard, when the pension was last payd, the other from Mr. Butler, out of the parish registry, of the burial of my brother,) to the petition, besides the paper, or narratiue, with reasons enforceing the equity of the petition. His Majesty sayd, I will reade them all; and did so, yet he deliuerd not the petition to the Lord Treasurer in a good while; but at last my Lord told me he had my petition, which he was to read to the King, and he would take a time most conuenient to doe it. I attended again and often, and it was not done; at last, I spake to the Chancellor of the Exchequer, Sir John Ernly; says he, Take no notice from me, but stay here at the doore; my Lord will tell you, your petition was read, and the King hath granted you an equivalent (the summ), but not in the tearmes you ask it, because so many are in the like case, and his Majesty will not giue such an example. I stayd, and did see my Lord as he came, and he did see me, but sayd nothing, passinge by me into the Treasury Chamber. I stayd without about an hower, and then, iudgeinge he desired rather to speak with me more priuately, and Colonel R. Phillips judgeing so too, I went away. I was no sooner gone but he called for me, as I was told by Mr. Francis Gwin, his secretary, the next day, and bad me be sure to be at the Treasury next morning, "for there is good intended to you; and I assure you my Lord Treasurer pleaded

I deliuerd another petition to his Majesty.

The first petition to the King James II. 4 October, 1685; the 2d, 16 December, '85.

The King granted an equivalent.

hard for you, or you had not sped so well." The next day I attended, and his Lordship called me in, and told me, The Kinge hath granted the effect of your petition; but you must giue me leaue to take tyme for payment. He added, Mr. Guy shalbe your paymaster; come to him Wednesday or Thursday next weeke; he shall pay you halfe then, and the residue the week following. I most hartily thancked his Lordship, and came acordingly to Mr. Guy. He told me he had noe order, and when he had order, I should not stay one moment, "but I must have an order from his Lordship before I cann pay any mony." To my Lord I went againe; he sayd he could not doe it then, but he would doe it next weeke, and so I had the like promises from tyme to tyme, vntill June the 23d, when his Lordship ordered 500*l.*, vpon which order 25th, 481*l.* 5*s.* the rest went for fees; but I was not put to sue for a Privy Seale, and I gaue an acquittance, as for his Majesties bounty. The Kinge was out of towne, and the court, and my Lord Treasurer came seldom to the Treasury (himselfe being at Tunbridge, at Court, or at his house at Twitenham). I watcht his comeinge to towne, and, as often as I could get opportunity, sued him for the rest, vrgeing such reasons as were true and pressing. He promised he would doe it speedily; but, after many such answers, at last the Kinge came to towne, and his Lordship also, and lay at the Lady Thanet's house in St. James Square (his lodgeings at Whitehall, haueing been inlarged this summer, not fully drye). Thither I went to his Lordship; before I spake to him he came to me and told me he would dispatch my buisines that weeke. With thancks, I returned very joyfully; but that weeke passed, and another, and nothing done. I went again to him, and sent in my name; he sent for me in, and sayd, You come to vpbraide me with breaking my word with you, but I could not help it. No, my Lord, sayd I, my buisines is not to complein; I come to know when your Lordship wilbe pleased to dispatch me. I will doe it very quickly, says he; come, sit

23 June, '86, the first order; 25, 481*l.* received.

His Lordship's delayes.

downe: and so we fell to talk of Mr. Coventry, and other things and people. This he had not done in a longe tyme before, which gaue me some apprehension that might be true which was reported, that is, that he should be remoued, the Jesuits and preists pressinge hard vpon his Majesty to take into that profitable and honorable office some of his owne relligion. But I tooke no notice to his Lordship of what I heard concerninge himselfe, but I did tell him what I heard of the Lieutenant of Ireland, that he would be recalled, and the Earl of Terconnele should goe in his stead. I obserued my Lord was sad, and sayd only, he hoped it was coffee-house talk, without ground. I replyed, I pray God it be, for should it be true indeed, I feared it would be ill for my Lord Clarendon, nay, worse then if he had neuer gone. That is very true, says he, wherefore I hope there is nothing in it. But doubtles his Lordship at that tyme was fully assured of both their fates. I came away, and expected an order, but none was made; and, the remouall of his Lordship beinge commonly talkt of, and Peters, the Jesuite sayinge it in all companies, I put my-selfe often into his Lordship's sight, and indeauoured to visit him; but it was difficult to speake with him; wherevpon I wrote a letter, and left it with his porter, who promised to deliuer it into his hands; and he was as good as his word, and told me his lord read it, and it had that good effect that within two or three dayes his Lordship ordered me 1,000*l.*; vpon which order, 16th of December, '86, I receaued 975*l.*; the rest was abated in fees. I thought my Lord had not well remembred what was behind, and would haue gone into the Treasury to my Lord another tyme for the residue, which I did. Yet after a while I sent my name into his Lordship, and beinge called in, I gaue him thancks for what I had receaued. Well, it is done, says he. Yes, I had 1,000*l.*; but I suppose your Lordship did not well remember what I petitioned for, and his Majesty granted; there is 250*l.* more, which I hope your Lordship will order me. He replyed,

Report of his remoual.

The courses I tooke.

16. 2d Order.

Another tyme, another tyme. Vpon which I went away, and wrote a letter to him, wherein I sayd, I hoped after soe longe expectation and attendance his Lordship did not designe any abatement. But I neuer had any effect or answer from his Lordship; and remoued he is, and the fiue Commissioners execute the buisines of the Treasury. I haue been often since to wayte on him, and my buisines was to thanck him, and intreat his Lordship to bringe me to his Majesty to pay my humble thancks for what I had receaued. I could not find him at home; but vnderstanding he was at the King's leuey, or rising, I went up stayers, and met him comeinge away. I payd him my thancks, and made my request to the effect aboue sayd. He sayd he could not goe back then, but would doe it at any tyme; and soe I tooke my leaue, and haue not since seene him, partly because I tooke cold that morninge, beinge longe aboue stayers without my cloake and hat, and partly for that I was in some doubt the Kinge would require of me somethinge which I could not yeild to. Now by what is here related it is plaine I am beholding very much to his Lordship, and as plaine he had it in his power to haue obleiged me much more; which is all I will say on this occasion.* And I thinck I shall haue occasion to mention this matter again, tho' I doe expect to haue those questions askt me by letter from his Majesty, which, togeather with my answers, shall in due tyme and place be inserted into this narratiue.

My desire to pay my thancks, and why delayed.

The Ecclesiasticall Commissioners, or High Commissioners for Ecclesiasticall Causes, haueinge made some orders about marriages and hospitals; the one prohibitinge all parsons to marrie any persons without licence or certificate that the bans of matrimony haue been publickly asked in the church, the other, that the bishops in their seuerall dioceses should certifie them what hospitals were in their diocese; they send the said

Orders by the Ecclesiasticall Commissioners about marriages.

Which the Archbishop of Canter-

* Under all the circumstances, surely Sir John Bramston might have been satisfied with what he had obtained, and especially as he was not prepared to give a favourable answer to the King's questions.

burie is required to execute. Which he transmitted to the 3 bishops.

orders with a letter to the Archbishop of Canterbury, requiringe and desiringe his Grace to see them executed within his prouince. He sent a letter to the three bishops commissionated for the exercise of ecclesiasticall affaires in the diocese of London during the suspencion of the Bishop of London, togeather with copies of the orders requiringe them to disperse copies of the orders through the prouince, it beinge the proper buisiness of the Bishop of London. But his Grace had omitted to set his hand to the letter, which the Bishop of Durham tooke as a scorne and slight to their commission; but it beinge made knowne to his Grace, he caused another letter to be written, to which he set his hand, and sent it to them, with excuse for the former omission, and desired the former letter again; which the Bishop of Durham would by no means consent vnto, but kept the letter himselfe, intending to make vse of it as occasion should be offerd, and hath done the archbishop's errand to the Kinge, who before was not at all pleased with the archbishop for not attending the commission. The commissioners haue also made an order (with like direction for publication) that no clergieman shalbe married without the bans be publicly asked in the church (and possibly the next order wilbe that they shall not marry at all).

But his name was not subscribed to his letter. Which the Bishop of Durham takes for an affront.

On Sunday the 9th of January, '86, the Lord President the Earle of Sunderland, by letter to Dr. Sharpe, gaue him notice that his Majesty had taken off all restreints on him, and he had the liberty of his pulpit againe; and, acordingly, on the 16th day he did preach, the expectation of which brought an infinite company to the church of all sorts—nobility, gentry, and the vulgar. A hundred coaches, at least, went away, the church yard beinge so full that there was no getting to the church, which was as full as it could hold. I guess many came to heare news, expecting a speech; but he wisely tooke notice of nothinge done, but tooke his text, and pursued that.

Dr. Sharpe hath liberty of the pulpit.

The Earl of Terconnel and the

The 11th day of January, '86, the Earl of Terconnel began

his journey for Ireland very priuately, only two coaches for himselfe and seruants. Sir Alexander Fitton was gone two or three dayes before to be Lord Chancellor in Sir Charles Porter's roome, who is comeing away with the Earl of Clarendon, their successor being ariued. Terconnel had commission for deputy during the stay of the Lieutenant, which was limited to a fortnight, and then he shall haue the tytle of Lieutenant; he is yet Lieutenant-deputy, not Lieutenant.

Lord Chancellor goe for Ireland.

Vpon the remouall of the Lord Treasurer, the High Commission was renewed, and the Earl of Huntington put in his place, whoe accordingly tooke it the 7th day of January, '86. His Majesty, in pursuance of his designe to take off the penal laws made against Papists, is, and hath been, telling of noses—haueing lists of all the Nobility and of the Commons in Parliament, and speakes with euery one as they come in his sight, which I confess since I knew the matter I haue auoided (tho' for particular reasons in point of gratitude I am obliged to attend and pay my thancks); but I would put off the euil day as longe as I can, it beinge a hard thinge to deny the Kinge any thinge; nor would I this if I could yeild obedience with a safe conscience; but I shall shortly know the King's mind more fully then yet I doe, which only by heare-say from others I yet doe.

The Earl of Huntington put into the Commission for Ecclesiasticall Matters instead of the Earl of Rochester.

The Earl of Shrewsburie hath either laid down his regiment of foot, or it is taken from him, and my Lord Langdale hath it giuen him; so the Lord Lumly * his regiment of horse, but who hath that to me not knowne. Some say the Earl of Pembroke could not take it on the tearmes proposed to him, and that Bernard Howard shall haue it, tho' some say Sir John Talbot. The tearmes of haueing or parting with offices and commands are complyinge and assuring their consent for taking away all the laws excluding Papists from offices in the Gouernment, and according as the Kinge finds he can make his party in the Houses, so the Parliament shall sit, or be dissolued, and a new one chosen of Papists and Fanaticks togeather, who beinge punished, tho'

The Earle of Shrewsburie and Lord Lumly part with their commissions as colonells.

Lord Langdale and Sir John Talbot succeed them.

* *i. e.* has laid down.

not equally, by the laws against Dissenters, it is not doubted but they will comply for present ease, but very wise men thinck much otherwise.

The Lady Ann Sophia died.

The Lady Ann Sophia, the youngest daughter of the Princess Ann of Denmark, died the 3rd, and was buried the 4th, of February, 1686, at Westminster, in Henry the Seventh's chappell, the other daughter beinge then very ill, and like to die also.

Lord Chief Justice Bedingfeild died.

Sunday 6th February Sir Henry Bedingfeild, Lord Chief Justice of the Common Pleas, haueing receaued the Sacrament in both kinds, (was obserued to deliuer the challice, with some tremblinge, into the hands of the minister that officiated,) neuer spake more, but fell into a fitt of apoplexie, and died quickly after, tho' a veine was opened, but he bled not.

Sir William Beversham.

The 7th of February Sir William Beversham was carried off the Chancery bench, either in a swound, or in a fit of apoplexy, but it proued not mortall to him.

Sir Edward Herbert, Lord Chief Justice of the King's Bench, takes the test and oathes.

The same day the Lord Chief Justice of the King's Bench, Sir Edward Herbert, tooke the oathes and subscribed the test in the open Court, togeather with Mr. Peck, Sherrif of Essex.*

The Lady Mary, the other daughter, died.

The 8th of February the other daughter, the Lady Mary, died, to the very great greife of the father and mother, who both retired for a tyme (vnto Richmond I thinck,) out of towne.

The King began now to try what strength he could make in the two Houses of Parliament. Haueinge resolued to speake himselfe with as many Lords and Commons as he could, and to sound others by some he could trust, he desired to haue the test and sanguinarie laws (as he was pleased to tearme them) repealed, to the end his Roman Catholic subiects might be on an equall foot with his other subiects, and to serue him in such employments as they were capable of; and to this purpose haueinge tryed some, of which the Lord Treasurer was one, who refuseinge, was remoued. His Majesty now called into his closet the Duke of Ormond, and the same morninge the Lord

* William Peck, of Little Sampford.

Maynard, Sir Thomas Dyke, and Sir John Lowther. What the Duke sayd I haue not heard, but I haue been told that the Lord Maynard alledged his conscience would not permit him to part with the lawes made for preseruation of the relligion he professed. The Kinge sayd, there was no matter of conscience in it. No, Sir? he replied; is not conscience concerned in defence of relligion? I pray, if the test alone be gon, what hinders but you may bringe whome you please, and as many as you thinck fit, into the House of Lords? and so haueing the maiority you may make what laws you please, euen against the relligion established. To which the King made no reply, but bid his lordship thinck better, and speake with him againe. One told me that now Sir Thomas Dyke come out of the closet that Sir Thomas lookt pale, and that the King was not pleased; indeed the King prest him hard and closely, but he desired to be excused from promising his vote, which he could not in conscience performe. Why, sayd his Majestie, there is nothing of conscience in the case; I haue promised to mainteine the Church of England, and so I will if they will gratifie me in this thinge, and trust to me; but otherwise, this beinge the only thinge they cann gratifie me in, I will take other courses. Sir Thomas seemed trubled at those words, and hoped he should neuer see [him] vse force, saying, he was sure those of the Church of England would neuer make resistance, and rebel against his Majesty. His Majesty bad him consider, and speake with him again. The truth is Sir Thomas Dyke was newly come to towne, and went with a petition to his Majesty in behalfe of himselfe and his kinsman, Mr. Dyke of Frant; and the King seeinge him, bid him stay a while, he would speake with him. Sir Thomas not guessinge what the matter was, haueinge heard nothinge of the King's designe, so he was surprised; but it had been sayd by many that the King would trye euery indiuiduall man of both the Houses, which prepared some that knew the matter to giue answers. Soone after, viz. on the 9th day of March, the Lord Newport, Treasurer of the

The Lord Newport, the Lord Maynard, re-

moued, and their staff's giuen to the Earl of Yarmouth and the Lord Walgrave, who had married the King's daughter.

Household, was remoued, and the staff was giuen to the Earle of Yarmouth ; and the Lord Maynard, Comtroller of the Household, was likewise remoued, and his staff was giuen to the Lord Walgrave. Note. The Lord Yarmouth had married a daughter of the last Kinge, which he had by [Lady Shannon *], and the Lord Walgrave had maried a daughter of this Kinge, which he had by Mrs. Churchill.

The Parliament prorogued to the Aprill 28th.

The 15th of February the Parliament met, and was by commission prorogued to the 28th day of Aprill.

His Majesty pursuing still his designe hath tryed others, and not receauinge answers to his expectation he hath remoued them, as Mr. Henry Savill, his Vice-Chamberlin, and in his roome is James Porter; Sir Thomas Chichly, who was Chancellor of the Dutchie, but none succeeds him, it beinge resolued to dissolue that Court. Arthur Herbert esquire is remoued from Master of the Robes, Rere-Admiral, and Colonel of Foot; the Lord Thomas Howard is Master of the Robes, and the Lord Hunsdon hath the regiment (as I am told).

His Majesty hath promoted [some] in honor by giueing them higher tytles; he on the 11th of March gaue the Priuie Seale to the Lord Arundel of Warder. It had been executed by commission vnder the broad seale since the Lord Clarendon went into Ireland, at whose returne he expected the seale should haue been deliuered to him; but the commission beinge during his absence and the pleasure of the Kinge, they could not without signification of the King's pleasure, which he was not hasty to ask; and soone after his Majesty sent for the seale, and gaue it (as is sayd already) vnto the Lord Arundell. His Majesty the 12th of March created Mr. James Fitz-James, his natural son (by the sayd Mrs. Churchill), Duke of Berwick, Earl of Tinmouth, and Baron Bosworth.

His Majesty his declaration for

The Kinge acquainted his Lords of his Councill that he had

* Charlotte Jemima Maria Boyle, a natural daughter of Charles II. by the Viscountess Shannon, who was a daughter of Sir William Killigrew, became the first wife of William second Earl of Yarmouth.

resolued to grant to all his subjects liberty to vse their conscience freely in the worship of God; accordingly on the 4th of Aprill [he] caused his declaration to that purpose to be published and printed in forme followinge.* Liberty of conscience.

About ten dayes after the publication of the mentioned Declaration, the Anabaptists presented an address to the Kinge. "Wee, your Majesties humble and loyall subiects, who for a longe tyme haue been great sufferers by the seuere execution of penal laws about matters of religion (vnto which, for conscience sake, wee could not conforme), cannot sufficiently pay those acknowledgments we owe to your Majesty for your most gracious Declaration, whereby wee are not only deliuered from our past distresses and our families from ruine, but are also allowed the free exercise of our religion, which is dearer to vs then any worldly enioyment. Great Sir, 'tis the sence of this inualuable fauour and benefit deriued to vs from your royal clemency that compels vs once more to prostrate ourselues at your Majesties feet, with the tender of our most humble thancks for that peace and liberty which both wee and all other Dissenters from the national church now enioy and rest confident of vnder your most gracious protection; and, beinge ourselues most firmely resolued (as in conscience bound) to endeavour, to the vtmost, to giue that proof of our duty and fidelity to your Majesty that you may neuer haue occasion to repent your princely fauour towards us, wee cannot but rest confident that such demonstrations as these of your Majesties tender care of the prosperity and quiet of your peaceable subjects of all sorts (tho' differinge in some sentiments about religion) will so absolutely command the harts of them all, that the only emulation amonge them wilbe who may proue themselues best worthy of your Majesties fauour, and contribute most towards the glory and happiness of your raigne; and that Almighty God, by pouring out his signal blessings vpon your Majesty, The Anabaptists present an address of thancks for the Declaration.

* Omitted, as printed elsewhere.

your royal posterity, gouernment, and people, wilbe pleased to conuince the whole world of the wisdome and truth of your Majesties sentiments, that conscience is not to be forced, and that nothinge can more conduce to the quiet of this kingdome and your Majesties greatnes, then an entire liberty of conscience, which is most sutable to the golden rule, What so euer ye would that men should doe to you, doe ye euen the same to them."

Some that were in arms with the Duke of Monmouth, and were pardoned, address also.

On the 18th of April following, an address of this tenor was presented to the Kinge thus:

"To the King's most excellent Majesty,

"The humble address of seueral of your Majesties subiects who, by your Majesties bounty and goodnes, enioy their liues, forfeited by beinge in arms against your Majesty and gouernement. The great and vndeserued fauour which we haue receaued from your Majesty beinge no less then life, calls for the most sincere and vnfeined thanckfulnes, especially when we consider how active we haue been against your Majesty, and how vnable wee are to render you seruices deseruing that princely bounty. This had been cause enough to haue compelled us to prostrate ourselues at your Majesties feete with the humblest and most thanckfull harts, which we truely doe; but when we likewise call to mind that your Majesty hath not only permitted vs to liue, but likewise by your gracious proclamation ingaged yourselfe to protect vs and all the rest of your subiects in the exercise of our religion and inioyment of our properties, we cannot be silent, but, from the abundance of our harts, express our thanckfulnes and the security we haue in your Majesties royal promises; and, as the best returne we can make for your incomparable goodness to vs and all your subjects, humbly tender your Majesty, as is our duty, the vtmost of our seruices in defence of your royall person and gouernement."

A soldier tryed and condemned at Reading; brought by habeas corpus to

A souldier was indicted at the assizes for Barksheire, held at Redinge before Justice Holloway, beinge found guilty, had judgment; but the Judge, findeing him penitent, and desirous

to spend his life in the King's [service,] and, seeinge him a stout younge man, and whose father had been killed in the late warrs on the King's side, and himselfe wounded in two places in the late engagement against Monmouth, the Judge repriued him vntill he could know the King's pleasure. At his returne to towne, the Judge acquainted the Kinge, and prayed the King's mercy to him. His Majesty sayd, Mr. Justice Holloway, you haue done well as a Judge in condemning him, and now let me doe what becomes me as his general. He shalbe hanged, and in a garrison towne; he shalbe hanged in Plimmouth, from whence he run. And accordingly a *certiorari* was granted to remoue the indictment and proceedings, and an *habeas corpus* for his body, into the King's Bench Court, where when he appeared, the Court, after reading the returne, askt the Atturney-General what he desired them to doe. He prayed a writ to the Sherrif of Devon, commanding him to execute the prisoner in Plimmouth. The Chief Justice sayd he had not fully considered the statutes, but thought that, tho' the man was well tryed, acording to the opinion of many Judges, yet he could not tell how they could command the Sherrif of another county to doe execution. The Atturney sayd, there were precedents in the case, and instanced in Sir Walter Rawley, and one Browne. The Chief Justice told him he did not doe well to putt such things on the Court; sayinge, Wee are willing to serue his Majesty in what wee may. So sayd Withens and Holloway; Powell saying he thought the Court could not doe this thinge, but spake with a low voice. The Chief Justice sayd, Pray, brother, speak out; which he did. Then the Chief ordered the prisoner to remain in the custody of the Sherrif of Barksheire, and the Court would aduise; addinge, Mr. Atturney, the Court should not be thus vsed; but it is not you, but some vnder you; I see one of them now in Court, that villan (or fellow) Burton, (meaning Burton, an atturney, who hath been employed in many things of the like, or worse nature).

the bar of the King's Bench.

Holloway.

King James.

Seuerall remoues in the Courts at Westminster.

The next day, the Chief Justice Herbert was remoued to the Common Pleas, and made Chief Justice there; and Sir Robert Wright, Chief Justice of that Court, was preferred to the King's Bench, and made Chief Justice of that Court; and Justice Withens had a patent sent him to discharge him of his place of Judge in the King's Bench. It is to be noted that this tearme, 16th April, '87, Sir Robert Wright was preferred, from Puisne Judge in the King's Bench, to be Chief Justice of the Common Bench, and Justice Powell, from Judge of the Common Bench into his place in the King's Bench, and Baron Milton, from the Exchequer into the Common Bench, whose place in the Exchequer is yet vacant, as also Justice Withens his place in the King's Bench. Sir George Stroode also this tearme had a pattent of discharge from beinge a King's Serieant.

Justice Withens discharged, and Serjeant Stroode.

George Duke of Buckingham died 21st April, '87, at his house in Yorkshire; and the Countes of Dorset also died, in London.

The Vice-Chancellor of Cambridge appeared before the Commissioners for Ecclesiastical Causes.

The Vice-Chancellor of Cambridge (Dr. Pechell) was summoned to appeare before the Lords Commissioners for Ecclesiastical Affairs on the 21st Aprill, 1687; and accordingly he appeared; and, the writ of summons beinge read to him, he was askt by the Lord Chancellor his reason why he obeyed not the King's command, and had not admitted Alban Francis to the degree of Master of Arts acording to the King's command. He sayd, that now he vnderstood the cause of his summons, that there many reasons to be giuen, and prayed tyme to answer, and that he might giue his answer in writing, and by his councill; which was granted him, and tyme giuen him to Wednesday followinge. On Wednesday he deliuerd his answer in writing, which was a plea and demurrer. He set forth the statutes, which require all graduates to take the oath of supremacy and allegiance, and recite the oath of supremacy at large, and the statute of King Charles the Second

They put their plea and demurrer into writinge.

requiringe the test, the oath of the Vice-Chancellor, and the statutes of the uniuersitie; and then say the Vniuersity is not a body ecclesiastical, and conclude the Commission extends not to them, &c. The Commissioners adiourned to Saturday sennight the farther prosecution of the cause.

An address by some diuines.

Some diuines, chaplains to some noblemen, present an address, thancking his Majesty for his Declaration.

The Garter giuen to the Earl of Sunderland.

The Garter was giuen to the Earl of Sunderland on the death of the Duke of Buckingham. He was at a Chapter held 26 Aprill, elected a Knight Companion of that order.

The Earl of Devonshire strikes in the Vane Chamber at Whitehall.

The Earl of Devonsheire meeting Culpeper in the Vane Chamber at Whitehall, and haueing a smal cane in his hand, thrust him on the breast, that the cane broke; where vpon the Earl was committed to the Earl of Craven at present, and the next day fortie thousand pounds bayle for his appearance to answer to an information in the King's Bench. His bayle were the Duke of Somerset, the Lord Delamer, Mr. Wharton, and another. It is to be noted that this Culpeper had strook the Earl some months since in the same or the next roome, and was tryed for it at the Verge, and was sentenced to loose his hand, and was, at the great instance of the Earl, pardoned.

Alibone and Powell made Judges 28 April '87.

Sir R. Alibone, of Grey's Inn, (a professed Papist) was made a Serjeant and a Judge in the King's Bench, in the place of Withens; and Serjeant [Thomas] Powell was made Baron of the Exchequer, in the roome of Milton; and Charles Ingleby, of Grey's Inn, was made a Serjeant-at-Law.

An address from some Presbiterian ministers.

April 30, an address was presented to the King, intituled, The humble address of seueral ministers of the Gospel in and about the city of London, comonly called Presbyterians.

The Quakers, some dwelling in and about Westminster.

The Quakers the same day presented an address on behalf of themselues and those of their communion. An address was presented, thus intituled, The humble Address of diuers of your Majesties loyal subjects dwelling in or neere the city of West-

minster, and the liberties thereof. Another, The humble Address of your Majesties loyall subiects of the Congregational perswasion, dwelling in and about the city of London. These are, and euer haue been, loyall subiects (wee all know), in a wronge sence.

Of the Congregational perswasion.

Serjeant Holt vnwillingly tooke the Recordership of London vpon him, and soone found he could not goe through stitch; for, as hath been before mentioned, he could not thinck judgment of death could or ought to bee giuen on the souldier (tryed before him); then desired to be dismissed of the Recordership, but the Chancellor would not moue the Kinge, but (as it seemes) the Lord Chief Justice Herbert beinge of the same mind, and lately scruplinge the executing the soldier (tryed at Readinge) at Plimmouth, &c., the grand jury too before Lutwich * refusing to find the bill against another soldier, on the account that some thought it was not felony at this day, and because the soldiers doe dayly run from their coulors, and so there is constant vse of putting that law in execution; the Kinge tooke resolution of remoueing the Recorder, which his Majestie hath done, and hath made Serjeant Tate Recorder of London.

Serjeant Holt remoued from beinge Recorder of London, and Serjeant Tate is made Recorder there.

The Kinge to the Vice-Chancellor of Cambridge sent his mandamus to admit one Francis, a frier, to the degree of Master of Arts. The Vice-Chancellor was Dr. Pechil; he aduised with a convocation, who refuse to doe it, and by the Chancellor, the Duke of Albemarle, make their excuse, which was not accepted; and a second mandate was sent, requiringe him to doe it, without requiringe the oaths or the test from him. They again refuse, alledging it is against their duties and oaths, which bind them to the fulfilling the statutes of the vniuersity. (It was presumed the designe was to capacitate Francis to be head of a house, and was pretie plaine.) This is taken as a contempt, and the Vice-Chancellor was cited to appear before the Commissioners for Ecclesiasticall Affaires, who appeared, and the

Dr. Pechill, Vice Chancellor of Cambridge, remoued by the Commissioners of Ecclesiasticall Affaires.

* Sir Edward Lutwyche, one of the Justices of the Common Pleas.

Lord Chancellor (the Lord Jefferies) demands their reason why they contemned the King's command. The Vice-Chancellor sayd that was far from theire thoughts and harts to contemne the King's authority, but now that he vnderstood what it was that was layd to his charge, he desired he might giue his answer in writinge, and by his councill, and might haue tyme to prepare his answer. Tyme was giuen him, and he in writing set forth the statute of Queen Elizabeth, injoyning the oath of supremacy, that of King James the First, which inioyned that of allegiance, and that of King Charles the Second, requiring subscription of the test, as necessary for euery master of arts and graduate to take before they had their degree; they set forth the statutes of the vniuersity, and the oath of the Vice-Chancellour; they sayd they were no ecclesiasticall body, and demurred to the jurisdiction, as beinge not within the commission.

To this plea or answer the Vice-Chancellor and eight doctors more had subscribed their names, but the Court, without hearing any councill, adiourned to another day; and then (viz. 7th May, 1687) the Court proceeded against the Vice-Chancellor, and depriued him of his office of Vice-Chancellor, and suspended him from his headship of the college,* both *ab officio et beneficio;* and deferred proceeding against the rest vntill Thursday after, when they were dismissed with a seuere reprimand by the Lord Chancellor, who told them the disease was principally in the head, which beinge purged, the body was free; but bad them sin no more, lest worse happened to them.

The Earl of Clarendon and Sir Charles Porter came for London.

In March this yeare came the Earl of Clarendon to London, haueing instated the Earl of Terconnell Lord Deputy; and Sir Charles Porter left the seale of Ireland vnto Sir Alexander Fitton, Lord Chancellour; Mr. Savil in the Vice-Chamberlinship; Collonel Robert Phillips in the Chancellorship of the Duchy, in Sir Thomas Chichlie's roome.

Sir Thomas Chichley and Mr. Savil remoued, and also Mr. Herbert.

The King's eld-

The King creates his son, by Mrs. Churchill, Fitz-James,

* He was master of Magdalene College.

est son by Mrs. Churchill created Duke of Berwick.

Duke of Berwick; and the Lord Powis is made Marques of Powis.

Two of the Earl of Bridgewater's sons burnt.

In April this yeare, the 11th day, in the eueninge, about ten or eleuen o'clock, two of the Earl of Bridgwater's sons were burnt to death, and one seruant, in the Earles house in Barbican, in the younge gentlemens chamber.

Sir Edmund Herbert and Sir Robert Wright both remoued, and some others.

This Easter terme Sir Robert Wright, one of the Judges of the King's Bench, was preferred, and made Lord Chief Justice of the Common Pleas, in roome of Bedingfeild, who died suddenly, as is already sayd; and Justice Powell remoued from the Common Pleas into the King's Bench, and Baron Milton out of the Exchequer into the Common Pleas.

And in a few days after, viz. 22nd April, Sir Edward Herbert was remoued from being Lord Chief Justice of the King's Bench, and Sir Robert Wright brought thither, and Sir Edward Herbert made Lord Chief Justice of the Common Pleas. Justice Withens his patent was superseded, and Sir [Richard] Alibone made Judge in his roome. Serjeant Stroude his patent for beinge the King's Serieant superseded at the same tyme. It is to be noted that Mr. Savil, Sir Thomas Chichly, and Mr. Herbert, were members of the House of Commons, and refused to comply with suspending the penal laws and the test, as his Majesty was pleased to require them.

The Earl of Devonsheir indicted, and fined 3,000*l.* for striking in White Hall.

The Earle of Devonsheire meeting in the Vane Chamber at White Hall one Mr. Culpeper, with his cane strooke or thrust him, (which Mr. Culpeper had before in Court strooke the Earle, and had been indicted and tryed at the Green Cloth, and was pardoned.) The Earle was seised by the guards, and he was brought into the King's Bench, and there gaue suerties for the peace. There was an information preferred against him in that Court; he appeared again on the 7th of May, and pleaded priuilidge of Parliament, he beinge a Peere; and that the tyme of priuilidge was not then expired, and Mr. Williams, his councill, alledged the case of the Earle of Arundel, and other cases.

But the Court sayd priuilidge of Parliament did not extend to treason, felony, nor breach of the peace; his plea was ouerruled, and he pleaded Not Guilty to the information; and a day appointed for his tryal, at which tyme the Earle waued all pleas, and submitted to the mercy of the Kinge; and the Court haueing no designe to contend with the Kinge, the last day of the tearme he was brought to the bar to heare the judgment of the Court, when he spake to this effect: He sayd he was sorie he had giuen just offence to his Majesty by his rude and passionate behauiour; that he had no designe of affront or disturbance to his Majesty; that he was highly prouoked, and put into very great passion; that, had he been in another place, it might haue driuen him into greater inconuenience, the prouocation was such. He hoped the Kinge and the Court would consider the prouocation, and his owne condition also; that he was barely tenant for life of his estate, being vnfortunately in displeasure of his father when he died; that if the Court should impose a fine on him but at the fifth part of what his family had suffered for the Crowne in the wars, it would be his ruine. Haueing made an end of speaking, the Court set a fine of 3,000*l.*, and committed him (which is of course) vntil the fine be payd.

The Lady Ivy has another verdict.

The Lady Ivy was sued, and had a trial in the King's Bench before Sir Robert Wright, Justice Holloway, and Justice Powell, in which the validity of Glover's lease was the maine question; to which lease my father's name and Richard Archbold's name were indorsed as witnesses. There had been other tryals before; in some she recouered, others were against her; and by a late tryal vnder the tytle of Bateman, a bankrupt, the greatest part of what she had formerly recouered was gained from her, and now they sued for the rest. In all these trialls I was vsed as a witness to proue the hands of my father and Richard Archbold. My brother, Francis Bramston, had likewise been *viva voce* in some tryalls to the same purpose; but

beinge now dead, his deposition taken in Chancery was read, and the verdict was for the Lady Ivy: by this she kept possession of what she had only. Sir Charles Cotteril and Mrs. Duffe, who had been witnesses in all the tryalls, were also produced now, and gaue the same euidence they had formerly done, whereby they endeauoured to proue Glover's lease forged.

Sir John Abdy married to Mrs. Nicholas.

May the xth in this year, '87, Sir John Abdy, baronet, maried Jane, the daughter of Mr. George Nicholas, youngest son of Sir Edward Nicholas, sometymes Secretary of State to both the Kings Charles the First and Second. He was maried in Henry the Seventh's Chappell, Dr. Patrick performed the office.

The Thames so shallow that men walk ouer it between Westminster and White Hall.

The twelfth day, the wind, blowinge extreame stiff from the west, kept the tyde so back that the Thames was so shallow, and the streame so narrow, that many men went ouer on foot, which had not been known in many ages. This was betweene Westminster and Whitehall.

The Pope's Nuncio receaued at Windsor on the 3d of June, '87; his name and title Monsignieur Ferdinand d'Adda, Archbishop of Amasia, Domestick Prelate and Assistant to His Holines the Pope, and Apostolick Nuncio.

Vpon the 3d day of June, the Pope's Nuncio (who had been in England a longe tyme) had audience of the Kinge and Queen at Windsor. He was conducted to the Castle by 36 coaches, 6 horses each. He himselfe, Sir Charles Cotteril the Master of Ceremonies, and the Duke of Grafton in the King's coach; his owne coach empty followed next, then 2 more of his owne coaches followed, wherein were ten preists. The bishop of Durham's coach was in the traine, but the bishop was not there, as I was told by one that did see the company. In the outward court they all alighted out of the coaches, and went vp stayers into Saint George his Hall, where were the Kinge and Queene seated on two chaires vnder a canopy. He made three bowes; at the second the Kinge and Queene both stood vp, and sate not downe again vntill he had ended his speeches, who answered him seuerally, and then he returned.

The Duke of Somerset remoued from the Bed. Chamber, and the Earl of Dunbarton put in his place.

His Majesty had spoken to the Duke of Somerset to conduct him, who desired to be excused; the Kinge pressinge him to say why, he replyed, he was aduised not to doe it, for that it

was treason. The King asked who aduised him. He desiring to be spared therein, the Kinge replyed, Some Whig councill. The Kinge remoued him from beinge one of the gentlemen of his bedchamber, and gaue the place to the Earle of Dunbarton, a Scotchman, a Papist, and one of the Lieutenants General. Some made obseruation (as the gentleman told me that gaue me account of this affaire), that a Duke of Somerset had put out the Pope, and now the Pope had put out the Duke; but I replyed, it would haue been more remarkable if the Duke of Somerset had brought him in.

Thomas Cheeke remoued, and Sir Edward Hales made Leiftenant of the Tower.

Thomas Cheeke is remoued from beinge Lieutenant of the Tower, and Sir Edward Hales is in his place; and Sir Christopher Musgrave soone after is remoued from beinge Lieutenant of the Ordnance, and Sir Henry Tichburne succeeds him. Sir Christopher Musgrave was a member of the Parliament, and had refused, as others had done; but Mr. Cheeke was none.

Sir Charles Musgrave also remoued, and Sir Henry Tichborne made Leiftenant of the Ordnance.

The Lady Ivy hath another verdict in the Common Pleas.

The 8th day of June, '87, the cause wherein the Lady Ivy was plantiff against the creditors of Bateman (which by the way was defended by Mr. Neale, as had all the late tryals been mannaged at his charge), wherein the validity of the lease to Glover was the maine question, to which, as I formerly sayd, the names of my father and Richard Archbold were indorsed as witnesses to the counterpart. I gaue the same euidence as formerly I had done—that I did beleiue those two names were the proper hand writings of my father and Richard Archbold, who was one of the clerks to my father, and with whose hand I was well acquainted. My brother's deposition was read also. The defendant produced Sir Christopher Cotterell and Mrs. Robinson, formerly Mrs. Duffe, again as witnesses. And Mrs. Duffe or Robinson beinge sworne, was asked by the Lord Chief Herbert what she could say. She sayd that, about the year '70 or '71, she comeinge into the dining-roome at her house, the Lady Ivy and Mr. Duffe were there, and Mr. Duffe was writinge. She askt him what he was doeinge. He answered, he was forgeing for the Lady Ivy, Glover's lease. Say againe, sayd the Chief Jus-

tice; are you sure he sayd he was forgeing Glover's lease? She therevpon repeated the words, and sayd she was sure he sayd he was forgeing Glover's lease. She added, that Mr. Duffe had 200*l.* of the Lady Ivy, part of the mony which shee borrowed of Sir Charles Cotteril. For what had he that mony? sayd the Chief Justice. She answered, For forgeing Glover's lease. His Lordship askt her if she see the mony receaued. She replied, Yes. Who was by? She sayd, The Lady Ivy and seueral of her seruants. Did Duffe tell you it was for forgeing Glover's lease, and before the lady and her seruants? Yes, sayd she, and for other buisines, the mortgage and the bond. Sir Charles Cotteril also gaue the same euidence he had formerly giuen concerninge a mortgage of the lease of the house for 1,500*l.*, which Sir William Saltkil should owe to my Lady, whereas after Sir William his death the Lady Ivy askt for the account betweene her and Sir William, and she was indebted 94*l.* to Sir William, and tooke 6*l.*, or some such sum, of the Lady Saltkil, and sayd, Now, madam, I owe you a 100*l.*; yet after, she pretended he owed her 1,500*l.*, and pretended a mortgage of the house, which was but a lease from the Earl of Salsburie, and not worth 100*l.* And much more he sayd very angerly; but it was not much material, for he sayd the Lady Ivy gaue it vp for nothinge. The jury scarce went from the bar, but found for my Lady.

The Parliament dissolued by Proclamation.

The Kinge, by proclamation dated the 2d day of July, dissolued the Parliament.

The ship returned with great treasure wherein the Duke of Albemarle had a quarter part. The King knighted the captain, William Phips, 28th June.

The Duke of Albemarle procured a patent to search for treasure sunck in the sea in the year 1642-3. A very large Spanish ship fraight with gold and silver for the Kinge of Spaine was driuen by tempest vpon the rocks, and the men and ship all perished. They had some guess whereabouts it was that she perished, and the Spanish King had sent out to find her; so had the French Kinge; and our last Kinge too; but all failed. One Phips, a sea-captain, who was well skilled in mathematicks, and had acquainted himselfe in India with some that

had the art of diuinge, haueing some guess where the ship perished, apprehended he could recouer the treasure; but wanted stock. He preuailed with the Duke of Albemarle and others to hassard some mony, and furnish him with a ship and men; and in September, 1686, he set sayle, and in May followinge returned with gold and siluer, Spanish mony, to the value of 200,000*l.* sterling, of which the Kinge had a tenth (beinge so agreed and reserued in the patent), the Duke a quarter part, and the rest their proportions; their shares, each 100*l.*, was 7 or 8,000*l.* Some of the pieces were crusted with rust, and to some was fixed or growne currall.

A ship fired by lightning in the Hope.

This year, in June, a ship laden with cloth to a great value, for Turky, was by lightninge set on fier in the Hope, by Gravesend.

A memorial put by the King's Ambassador to the Princess of Aurange.

The King's Ambassador in Holland, the Count Albavill, desired audience of the Princess of Aurange, and deliuered a memorial from his Majesty, that he had designe of makeing his second son by Mrs. Churchill a Cardinal; but his illegitimation hindered it, by reason he was incapable by the canons of the Church; wherefore his Majesty designed to haue him legitimated by Act of Parliament, and desired her judgment and consent. She answerd, she did not vse to medle in State matters; but she would acquaint the Prince with it, and that his Lordship should know his mind from himselfe. The Prince sayd, he had great duty and respect for his Majesty; but the buisines was of great concernement to his wife, the King's daughter, and he would doe nothing to her prejudice.

The King pardons and dispences with 9 great officers.

The Kinge grants pardon to nine great officers for takeing vpon them offices and employments and not takeing the oaths and subscribing the test, as by seuerall laws is required; and he dispences with them for the future for holding the offices and not swearing or subscribinge. These are, the Lord Arundell, Lord Priuy Seale, the Marques Powis, the Lord Bellasis, and the Lord Dover, the Lord Chief Justice Wright, Justice Milton, and Justice Alibone, Sir Edward Hales, and Sir Henry Titchburne.

The Duke of Grafton goes to conduct the Queen of Portingall to her husband.

The Kinge sends the Duke of Grafton with nine ships to take the Queen of Portingal (daughter of the Prince Palatine) on board at Rotterdam, and convey her to her husband.

A mandamus sent to choose FarmerPresident is not obeyed, which mandate was dated 5th April, '87, 3d Jac. II., but came not to the Vice-President vntill the 11th April, and was read to the Fellows the same day, before which tyme the 13th of April was appointed for election of a President, with power to adiourne the election to the 15th if they see cause, beyond which tyme it was not in their power to defer the same.

Vpon the death of the Master* of Magdalen College, in Oxford, his Majesty sent his *mandamus* to the [Vice-]President and Fellows, requiringe them to choose one Farmer, a preist,† Master; which they not obeyinge, they are sent for by the Commissioners for Ecclesiasticall Affaires. When they appeared, and knew what was obiected against them, the [Vice-]President and some of the Fellowes desired tyme to answer, alledging it was against the statutes of their college. They had tyme to answer, and were ordered to bringe up their statutes. Notwithstanding the plea, the Court proceeded, and remoued the [Vice-]President from his office, and Dr. Fairfax, one of the Fellowes, from his fellowship. The doctor, it seemes, talked with more confidence to the Lord Chancellor then he could beare; and because the Fellowes refused to choose another President, or to obey the order, Attleberrie,‡ the Messinger, was sent downe, and three or four more in his assistance, to see the order executed. They had vpon the receit of the first *mandamus* answered, that the person recommended by his Majesty (Farmer) was debauched and lewd, and noe way fit to be President, or for his Majesties recommendation; which satisfied the Kinge as to the person. But then he sent another *mandamus*, requiringe them to choose Dr. Parker, Bishop of Oxford, President; before which *mandamus* came, they had elected Dr. Hough President, and the election confirmed by the Bishop of Winton, their Visitor; and when the *mandamus* came, the Fellows sayd it was not in their power to obey the mandate. And so it stood when the Kinge in his progress came to Oxford; when his Majesty sent for [the] Fellowes, who appearinge, the Kinge sayd to the first, "What is your name; are you Dr. Pudsey?" Who answered, "Yes, so please your Majesty." King—"Did you re-

Note.—The 8th of April they represented the vnfitnes of Farmer, but had noe answer vntil the 11th, which came then from the Lord President with the mandate by two of the Fellows they sent on report of the intended mandate.

4th September the King at Oxford.

* The President. † It nowhere appears that Farmer was in holy orders.
‡ Atterbury.

ceaue my letter?" Doctor—"Yes, Sire, wee did." King—"You haue not dealt with me like gentlemen; you haue done very vnciuilly by me and vndutifully." Then the Fellows kneelinge, offerd a petition, which conteined the state of the case, which his Majesty refused, sayinge, "You haue been a stubborne, turbulent college these five or six and twentie years; I haue known you to be so my-selfe; you always grumbled when my brother sent you any mandate. You haue affronted me. Is this your Church of England loyalty? One would wonder to see so many Church of England men got togeather in such a thinge. I am sorie to see it! I am sorie to see it! Goe back, and shew yourselues good members of the Church of England. Get you gone; know I command you to be gone; I wilbe obeyed; I am your Kinge, I am your Souereigne. Goe, and admit the Bishop of Oxford your Head, or Principall, or what you call it." (One who stood by sayd, "President.") King James —"President of your college." Then the Fellows withdrew, and were recalled. Kinge, to Mr. Charnock *—"Did you deliuer my inhibition?" Charnock—"Yes." King—"Did they admit him, since they receaued it?" Charnock—"Yes." King —"I heare you haue admitted a fellow since you receaued my inhibition; is that true? Haue you not admitted one Holden?" Dr. Pudsey—"I thinck he was admitted fellow; but wee conceaue. . . . . ."

Mr. Cradock.—"May it please your Majesty, it was no new election or admission, but a consummation of a former election." Kinge—"A consummation? It is a new aggrauation. I sent back for you to tell you so. Get you gone home! I say again, get you gone, and immediately repaire to your chappell and elect the Bishop of Oxford, or else expect to feele the heauie hand of an angrie Kinge." Then the Fellows offerd to speake, and againe profferd the petition on their knees. King—"Begon; I will heare nothing from you til you haue

* Robert Charnock was executed for high treason, March 18, 1696, having been convicted of conspiring to assassinate William III.

obeyed me, and haue elected the Bishop of Oxford." Dr. Smyth—"Sire, may it please your Majesty, it does not lye in our power." This was on the fowerth of September; and in October followinge Commissioners were sent to visit the colledge: Dr. Cartwright,* Bishop of Chester; Sir Robert Wright, Lord Cheif Justice of the King's Bench; and Sir Thomas Jenner, one of the Barons of the Exchequer; who opened their commission the 21st of October, when the Bishop made a florid speech, exhortinge to obedience, and litle more done, only Dr. Rogers his case was proposed. He had been organist of the college, but his daughter beinge gotten with child, they turned him out of his place, tho' he had a patent granted him for his life; which the doctor looked vpon as vnjust, and desired to be restored. But the Court adjourned to the next morninge, when they pronounced the election of Dr. Hough void, and, sending for the Buttery Book, strooke his name out of it, and so adjourned to the afternoone. When met, they inquired which of the Fellows had agreed to the not admitting the Bishop of Oxford to be President; and they produced Dr. Pudsey's letter to the Lord President:—"To the Right Honorable the Earl of Sunderland. I last night receaued from your Lordship his Majesties letters mandatorie to admit the Bishop of Oxford President of our college; and this morninge I communicated them with the Fellows in the chappel, with all deference and respect to your Lordship and to his Majestie; but receaued from them vnanimously this answer—That the place was already full." The rest of the letter was only complementall.

21st October.

Dr. Rogers, Organist of the College, his case.

The Commissioners pronounce the election of Dr. Hough void.

Dr. Pudsey's letter to the Lord President Sunderland, setting forth

The answer of the Fellows to the mandate.

The Commissioners ask the doctor who they were that returned him that answer. He sayd all that were in the chappel. They asked again who they were. He sayd he had not kept a catalogue of their names; but, the Fellows beinge present, if their Lordships pleased to aske them, he supposed none of them would denie what they had done. Vpon which all the Fellows were called ouer, and euery one asked if he had agreed to returne

* Vide Cartwright's Journal, printed for the Camden Society.

that answer. To which euery one (except some that were out of towne when the letter was proposed,) answered, he did; except Charnock, who answered he did not know of the letter. To which it was replied, that it was proposed in the chappel, where all such things vsed to be proposed, but he beinge a Papist was not there. This beinge ouer, Doctor Hough desired leaue to speake a few words, and that beinge granted, he spake to this effect: "Whereas pursuant to your decree this morning you haue struck my name out of the Butterie Booke, and depriued me from beinge President of this college; I doe hereby protest against this your proceedinge, or whateuer you haue done or shall doe in prejudice of my right in this college; and herein I appeale to his Majestie, and his courts of justice." Now some persons in the Court gaue a great humm or shout, which the Commissioners tooke extreamly ill, and commanded all to withdraw; and immediately called in the people of the college againe, and made Doctor Hough enter into recognizances of 1,000*l.*, and two suerities with him in 500*l.* each, to appear in the King's Bench, and to answer there for this misdemenour and ryot. He protested to them he was so far from putting or desiringe any to doe it vpon what he had sayd, that he had not let any one in the roome (noe not any of the Fellows of his owne society) know he designed to say any such thing. Then the Court was ajdourned till Tewsday, at which tyme, and so again to Thursday, when the Commissioners told the fellows they had behaued themselues very ciuilly, and were very punctual obseruers of their statutes, &c.; and let them know they had sent an account to his Majesty of what they had done, from whome they expected euery houre an express, with directions how to proceede; till the arriual of which they could doe nothing farther, and therefore they adjourned the Court vntill Friday. When they met again (the best account I haue is thus) they ordered all to withdraw, but called in againe all the Fellows. The Commissioners let them know his Majesty expected that they should returne him thancks (in nature of an address,) for

They all owne their consent to the answer except one Charnock.

Dr. Hough protests against the proceedings and appeals.

Dr. Hough bound ouer to the good behauiour, and to appeare in the King's Bench, tho' he had excused himselfe as ignorant in the tumult.

The Commissioners speak kindly to the Fellows.

The Commissioners require the Fellows to

address his Majesty.

his great clemency in not expelling them all; and should owne the contempt in not sooner admitting the Bishop of Oxford as their President: which the Fellows lookt vpon to be litle less then calling them-selues villans and rebells, and desired leaue to explane what they had before subscribed; that was thus:—

The substance of their subscription which now they explaned.

"Whereas his Majesty by his royal authority has caused Samuel Lord Bishop of Oxford to be installed President of this college, wee, whose names are vnderwritten, doe submit in all things lawfull, and agreeable to the statutes of the college." (In explaning) they sayd they did not submit to the bishop as President, but to the King's authority in all things lawfull and agreable to the statutes of the house, and that they would not submit to the bishop as President. This disordered the Commissioners much, not expecting such explanation; so they adjourned the Court to the 16th Nouember, hauing first suspended one Mr. Fulham from his fellowship, for saying the bishop was not legally putt in President. On this day, the Commissioners beinge sate, all beinge putt out of the Court except the Fellows, the Commissioners tendered them a paper, requiring them to set their hands to it, but the first thinge done this day was, the buttery booke was sent for, then Mr. Joyner was called for, and Mr. Allibon. Joiner had been of that society about 35 years since, and was expelled for being a Papist; the other is brother to Judge Allibone, and a Papist. They being come, the King's mandate was read for admittinge them both Fellows, the former in the roome of Doctor Fairfax, (whome their lordships had expelled,) the other in a dead place, which accordingly their Lordships did, all oaths being dispensed with but that of Fellow. This ouer, and the Fellows called for, (as is aboue sayd,) the Bishop of Chester made a speech to this effect:

Mr. Fulham suspended 16th November, 1687.

The Commissioners require the Fellows to subscribe a paper, but first Joyner and Alebone, two Papists, are admitted Fellows.

The Bishop of Chester'sspeech, in which he recites many of the passages about this matter.

"Gentlemen, your many contempts and wilfull disobedience haue occasioned this Visitation, which will end at last in your ruine. This society of yours has been long exercised in the methods of quarrelling, has always been trubled with factious spirits, and testy mutineers; euer since the restauration of the

late King you haue encouraged quarrells amonge yourselues, quarrells between yourselues and President, quarrells betweene yourselues and Visitor, for your late Visitor I haue often heard compleine that this society was ouerstockt with an vnquiet and turbulent generation. By those steps, from quarrelling with your President and Visitor, you haue at last aduanced to the highest pitch of insolence, to quarrell with your Prince, and affront his sacred Majesty. I indeauoured, at the first openinge of our commission, to make you sensible of the scandalls that your disobedience would bring vpon your relligion, how much staine and dishonour on your liberal and ingenuous education you haue had in this society. You cannot but know his Majesty is your supreame ordinary; you cannot but haue read in Bracton (who was 20 years Lord Chief Justice vnder King Henry Third,) '*Nemo præsumat de factis eius disquirere; nedum contra factum eius venire;*' all disobedience implies pride, for no man disobeis his gouernour but he who thincks himselfe wiser. The reputation and honour of a Prince at home, and his respect abroad, are cheefe standards of Gouernement; but these pillars, as much as in you lies, you haue indeauoured to shake; and vnless his Majesties honour and right be vindicated by vs, he can neither be feared at home, nor obserued abroade; your impunity therefore cannot consist with his Majesties honour, but your punishment must be as publick as your crimes. It cannot be conceiued how his Majesty, in justice, in honour, in clemency, and in his royal tenderness, could haue proceeded otherwise then he has done. On the 31st of March it was published that Doctor Clarke, your President, was dead; on the 5th [of April] a mandate was directed to you for choosinge Mr. Farmer;* on the *(blank in MS.)* you presented a petition to the Lord President, wherein you laid yourselues prostrate at the King's feet, representing to him the incapacity of Mr. Farmer, desiringe the benefits of his gracious declaration for preseruation of your rights and proper-

The mandate 5th of April; on the 9th they sent their letter to the Lord President; on the 11th the mandate was receaued.

* It was delivered to the Vice-President on the 11th of April by Robert Charnock.

ties, and beseeching to nominate another person, qualified acording to your statutes, in the election of whom you would shew a ready obedience. So sayd, and so done, gentlemen, had been very well; but, immediately after the deliuery of this petition, you not waiting his Majesties answer, on Aprill the 15th proceeded to the election of Doctor Hough; so that by this act, which was plainly contrary to his Majesties authority, whose mandate did certeinly implye an inhibition, you directly confronted your former promises of a ready obedience, and were resolued to giue the Kinge nothing but good words. When you had done this, (as men of ill designes are always in hast,) for a confirmation of it you immediately went and surprised your Visitor, and by meanes perswaded him to confirme Doctor Hough the very day he receaued an order from the Lord President to the contrary. Vpon this news the King was much amazed, and required an account of your proceedings; therefore vpon the *(a blank)* the Lords Commissioners issued out a citation,* and, after hearing your plea, vpon mature consideration and consultation with the learned in both laws, judged the pretended election of Doctor Hough to be void and null, and him to be amoued by an instrument dated *(blank)*, which was affixed on the gates. After this, on the (*blank*,)† a mandate was sent to you to select the Bishop of Oxon, vpon which tearmes his Majesty was graciously pleased to dispence with your disobedience thitherto; but this beinge disobeyed, his Majesty in person, the 4th of September, sent for you to Christ Church, and required you immediately to admit the Bishop of Oxon your President. You went streight to the chappel (a place, one would thinck, that should haue inspired more deuotion and awe of his sacred Majesty into you), and there contemptuously subscribed and signed a paper directly thwarting his Majesties command. The ground of your disobedience you pretended to be that you could not elect him; whereas you could not but know, from a written mandate that lay before you,

Confirmed by the Visitor 16th April, the day after election.

* Dated May 28, summoning the Fellows to appear at Whitehall June 6th.

† August 14th.

that admission would haue satisfied his Majesty. Conscience, the stale topick of rebellion, was here brought to vindicate your petulant and contemptuous behauiour. You pretended that you were obleiged by oaths, and I am sorie that at the same tyme you forgot that of allegiance; and, indeede, there is nothing a greater signe of hypocrisy then partial obedience. Had you any respect to the father of your country, and your mother the Church, you would haue *sacrificed your pretended scruples as a peace offeringe* to the Kinge. The best of vs, I am sure, haue reason to begg God's and the King's pardon; but you, as tho' his Majesty reigned by curtesy, would haue a King vnder you, but none ouer you. You vrged the obseruation of your statutes, of which it hath appeared you haue not been such constant obseruers. When your owne humor prompts you to a dispensation, then you can readily imbrace it; witnes but that of your beinge *serued per masculos*,* by which great scandals haue come to this society, by reason of bastards; but when the King interposeth (in whose power alone it is to dispence with them), then you presently act acording to such methods as these. None of these pretences will excuse you with wise and sober men. This was the only opposition the King met with in his progress: where-euer his sacred Majesty came he worked a miraculous conuersion, except it was in Oxford, and so far satisfied euery one with the equity of his proceedings that none went away discontented from his presence, vnless it was for this reason, that they could enioy it no longer. On October the 20th we came downe, and vpon openinge our commission I tooke care to represent vnto you the heighnousness of your offence, and to perswade you to serious repentance; but all in vaine, for on Saturday morninge wee required you to admit and install the Bishop of Oxon, which all, except three, refused. In the afternoone Doctor Hough, haueinge been depriued, and by vs commanded to depart the College, came in to vs without asking leaue, but not without great attendance (circumstances, I thinck,

* Sic orig.

much vnbefittinge a man pronounced exiled), and there entred a protestation against all that we had done or hereafter should do, as illegal, vnjust, and nul, which he deliuered, not in writing, but by word of mouth, a thing repugnant to the nature of all appeales, and which was worse, without the vsual saluo to his Majesties supreame power. When he had spoken it there followed such a *tumultuous, seditious, and insolent hum*, which if you yourselues had not applauded, at least consented to, it was impossible but that you would haue discouered some of those turbulent mutineers. Howeuer, since his carriage and language gaue occasion to it, it was thought fit that he only should be obnoxious, and accordingly he was bound ouer. On Tewsday we ourselues caused the Bishop of Oxon to be installed by his proxie; after which wee proposed to you whether, beinge now established, you would submit to him *licitis et honestis*, to which you gaue an answer vnder your hands in the *affirmatiue*. You then also desired of vs that we would represent your case fauourably to his Majesty, giueing all assurance of your loyalty and obedience; but this appearance of submission lasted not longe, for on Thursday, beinge required to subscribe such a submission as we thought agreable to your duty, you required tyme to consider of it, and, after deliberation, signed such a paper as seemed rather a protestation against your former submission then an acknowledgment of your crime. Vpon this we might justly then haue proceeded to expulsion, but we thought *fit*, *in compassion* to you, to take a journey to London, *to acquaint his Majesty with your disobedient and vngratefull behauiour*. His Majesty was extreamly amazed that his clemency should be despised, but yet, to your comfort be it spoken, his patience and goodnes extend as far as your prouocations can; but if you still persist in this your obstinacy, those that are too tall to stand and too stubborne to bend deserue to be broken. And now I thinck I haue sayd enough to let you know that the figleaues you haue so artificially stitched togeather are not sufficient to couer your nakednes. I wish to God *you* had the *same ten-*

Bishop of Oxford installed President by the Commissioners by proxie.

A note of the Commissioners' compassion.

derness for your owne concerns as his *Majesties Commissioners haue* for you; but if you still persist to oppose the royal power of the Kinge, wee, who are come to vindicate the right and honour of his Majesty, are resolued to discharge our *consciences and duty* towards God and the King, without any respect to *popularity*,—popularity, that is but the paradise of fooles and the scorne of wise men; and, therefore, as for *vs, we haue no more regard to people's dislikes* then to that which they *dreame*. By reason, therefore, of your late hypocritical submission, the Court has thought fit, vpon mature consultation, to draw vp an instrument, which shalbe read to you, which if you shall immediately subscribe before you leave the roome, we shall leaue you to his Majesties pardon; and this we expect of you all, except Doctor Thomas Smyth and Mr. Charnock, with whose dutifull behauiour the King is so well satisfied that he expects nothing more from them." Then all but the Fellows beinge ordered to withdraw, the paper was read to them, the substance whereof was, 1. A full declaration of their disobedience towards his Majesty; 2. A totall denial of Doctor Hough's beinge President; 3. An acknowledgment of the legality of their installinge the Bishop of Oxon; lastly, an exaction of their submission to him as lawfull President. To this paper all but Dr. Thomas Smyth, Mr. Thomson, and Mr. Charnock refused to subscribe. Then the Fellows put in this protestation:—"May it please your Lordships, we profess all duty and obedience to his Majesty and respect to your Lordships, but we begg leaue to declare we thinck ourselues injured by your Lordships' proceedings, and therefore doe protest against them, and will vse all just and legall ways of beinge releiued." Then they were all ordered to withdraw, and the Clerke of the Court drew vp their sentence. Then they were recalled, and this sentence was read to them thus.—"By his Majesties Commissioners for Ecclesiastical Causes, and for the visitation of the Vniuersities and Cathedral and Collegiat Churches, &c. and perticularly impowred to visit St. Mary Magdalen College in the Vniuersity of

The substance of the Subscription required of the Fellows;

which all but 3 refused, and protest.

Their sentence read and pronounced.

Oxford. Whereas in our visitation of the said College it appeareth vnto vs that Dr. Charles Aldworth, Dr. Alexander Pudsey, Dr. John Smyth, Dr. Thomas Bayley, Dr. Thomas Stafford, Mr. Robert Almond, Mr. Mainwaringe Hammond, Mr. John Rogers, Mr. Richard Strickland, Mr. Henry Dobson, Mr. James Bailey, Mr. John Davies, Mr. Francis Bagshaw, Mr. James Fairer, Mr. John Harrer, Mr. Thomas Bateman, Mr. George Hunt, Mr. William Cradock, Mr. John Gillman, Mr. George Fulham, Mr. Charles Penyston, Mr. Robert Hyde, Mr. Edward Yerbury, Mr. Henry Holden, Mr. Stephen Weelks, Fellowes of the said College, haue been seuerally guilty of disobedience vnto his Majesties commands, and absolutely contemned his royal authority, and doe still persist in the same; we haue thought fit, vpon mature consideration thereof, to declare, pronounce, and decree that the said Charles Aldworth, &c. and euery of them, be depriued and expelled from their respectiue Fellowships; and we doe pronounce and decree, depriue and expell them from their respectiue Fellowships." I shall add here what I find in a Gazet, November 30, '87. "Vpon the death of Dr. Clerke, late President of St. Mary Magdalen College, in Oxford, the Fellows of that college haueinge chosen Dr. John Hough for their President, without any regard to his Majesties letters mandatory, which had been deliuered to them before the day of election, in behalfe of another person, pretendinge to justifie their disobedience from the obligation they lay vnder to obserue their statutes, notwithstanding his Majesty had been pleased to dispence with them in that place (as had been done in all tymes by his Majesties predecessors); and the said Fellows obstinately persisting to render ineffectual those methods which his Majesty in his grace and fauour to them had made vse of to bring them to a sense of their duty; his Majesty thought fit, for the manteinance of his just authority and royall prerogatiue, to appoint a visitation of the said college; and accordingly the Right Reuerend Father in God Thomas Lord Bishop of Chester; Sir Robert Wright, Knight, Lord Chief Justice of the King's Bench; and Sir Thomas Jenner, Knight,

The account given of this case in a Gazet. November 30th, '87.

one of the Barons of the Exchequer, beinge authorised vnder the Great Seale of England, met at Oxford the 21st day of October last, where the said Fellows, with Dr. Hough attending, and it there appearinge to their Lordships that the pretended election of the said Dr. Hough was nul and void, by a sentence giuen by the Lords Commissioners for Ecclesiasticall Causes, and for visiting the vniuersities and colleges, and finding that he had, in contempt thereof, continued to reside there as President, they ordered him forthwith to depart the college, striking his name out of the college books, and declaringe the Presidentship void; and then required the Fellows to admit the Right Reuerend Father in God Samuel Lord Bishop of Oxford into the place of President, in pursuance of his Majesties letters mandatory to that purpose; which all of them present refusinge except one, the visitors, by virtue of that power granted them by his Majesty, admitted the said Bishop of Oxford President, installing him by his proxy, the Fellows still refusinge to be so much as present at the ceremony. But when it was afterwards demanded of them whether they would acknowledge the President thus established, they all subscribed a submission vnder their hands; which they would again haue retracted, when it was proposed to them to owne their fault in the opposition they had made to his Majesties authority, and to ask pardon for the same; which they not only declined doinge, but some of them carried themselues with very disrespectfull behauiour. The Court meeting again acording to their adiournment on the 16th day of November, their Lordships admonished the Fellows of their dainger, if they continued in their vndutifulness to his Majesty, and should refuse to make their submission, as became them, in the manner their Lordships had thought fit to prescribe. And finding them so little moued with it that they withdrew, and immediately returned again with a peremptory refusal vnder their hands, their Lordships proceeded to their censure; and besides the expulsion of Dr. Hough and Dr.

Fairfax, that had been done at the former sitting of the Court (which the last incurred for his disobedience to the order for suspension pronounced against him by the Lords Commissioners for Ecclesiasticall Causes, &c. at Whitehall, upon account of his singular and refractory behauiour when this cause came first before them), they pronounced the like sentence against Dr. Charles Aldworth (and the rest named in the precedent page), all Fellows of the said college; whose names were accordingly strook out of the booke, and the sentence of expulsion was affixed vpon the gates of the college.

This account seemes lame; for there is not mentioned the tyme of Dr. Clerk's death, nor the date of their answer, nor yet their answer. The statutes of the college and the Fellow's oath are necessarie to be knowne, before a judgment by straingers can be giuen; which I suppose was the designe of the Gazeteer. Some say, their answer to the first mandate was the day after the mandate was deliuered; that the Earl of S[underland] would not receaue it when it was tendered by the Fellows, but put them off two or three dayes; in which tyme the dayes prescribed for the election by the statutes of the college were so neere spent, they were forced to elect, to preuent periurie in themselues; so that hearing not again from his Majesty they proceeded to the election. And when the 2d mandate came for electing the Bishop, their answer, that the place was full, was true in fact. And so to me the strength of the whole case rests vpon (what the Bishop sayd) an inhibition or no inhibition to the electing any other (tho' Farmer were absolutely insufficient, as the Fellows proued before the Commissioners at Whitehall). I will inquire the tymes, and fill the blancks in the narratiue, if I cann. This narration of the proceedings in this case I haue continued togeather, haueing begun it before I went into Essex, which was the 23d of July, '87; and by that meanes I shalbe forced to set downe out of order some other things. July 20th the Duke of Grafton sailed by the Downs with the fleet or squadron of the King's

I went into Essex 23d July, '87.

20th July the Duke of Grafton with a squadron of the King's

ships haueinge the Queen of Portingale on board. The male betweene Colchester and Harwich was robbd by one person, who tooke out of the male some boxes which conteined rough diamonds to the value of 6,750*l.* The owners (were Jewes it is sayd) applied to the Kinge, and his Majesty declared and published in the Gazet, that in case the aforesaid diamonds be restored vnto the owners in the space of 30 dayes from the date thereof (the 10th July, the robbery was on the 25th June), his Majesty will grant his pardon to the person restoring the same; and the owners promise a reward of 500 guineas.

ships sayled through the Downes with the Queen of Portingale on board.

The Kinge, Queene, and the whole Court went into mourninge the 31st July for the Duchess of Modena, who died at Rome.

The Duchess of Modena, the mother of the Queen, being dead at Rome, the Court mournd.

On the 16th of August this year, 1687, my sonn went out with his man on settinge; he rode on a little old nagg, and the dogg huntinge the hedges more then vsuall, he rode hastily towards him, and threw his stick at him; the horse at the instant slid on the grass or doole,* it haueinge rained in the night, and fell and threw my sonn a great way from him, but sittinge loose, and he holding vp his arme, as it seemes, for all the inside of his sleeue, from his wrist to his shoulder, was all dirtie, and no dirt on the outside of the sleeue, and put his right shoulder out of joint. He was helped by his man on to his horse, and rode home, and sent for a bone-setter (one Mr. Strut) to Chelmesford, who came about noone, and tryed it with a coole-staff, which put my son to extreame torture, so that, he cryinge out, his men that held him let goe their hold. They tryed againe, but he was not able to indure it; so Strut would try with his foot. My son was very vnwillinge, but I

My sonn put his shoulder out of joint.

* Doole, or dowl, signified a low post of stone or wood used as a landmark. In this instance it seems to have been applied to a balk, or strip of grass left unploughed, as a boundary between two contiguous occupations in an arable common-field. *Vide Way's Promptorium* and *Forby's Vocabulary.* At Newmarket, the posts connecting chains set across the race-course are still called *dolls.* A large inclosure at Wembish, in Essex, is described in an old survey as "*Doole Field.*"

preuailed with him to let the surgeon trye; and he was laid on the ground; but Strut sayd my sonn gaue him a kick on his belly, so that he was not able to set the bone. This so dishartned my sonn, haueing been four tymes tormented, and yet the work not done, that he sayd he would be a criple all the dayes of his life rather then indure so much torture againe. But I diswaded all I could from the resolution, and sayd I would send to London to one Mr. Pesgrave, who was accounted the best bonesetter of England, and who had done excellent cures on some that I knew. Vpon that Strut sayd his master liued at Bishop Starford, and was as good a chirurgeon and bone-setter as was in England, he was sure, and if I pleased to send, he would write, and he was certain he would come; which letter beinge writ, I sent immediately away, and Mr. Hastler came next morning, and Strut met him at Screenes. With very much adoe I preuailed with my sonn to let them trye; but he askt Hastler if he had neuer missed; he said, Neuer. Can you doe it at once? He sayd, Yea, or neuer; I warrant you I will doe it, and with less paine then you had at any of the tymes you tried. So he consented they should try, and they laid him on his back, and himselfe tooke a towell and put vnder the armehole, but vpon a bolster, and put the other end of the towell about his owne neck, beinge a very stronge man; and three men holding my sonn by the other arme and his leggs, and all pulling hard at once, Strut, with his foot, put in the bone into its place, which gaue a snap that all heard it; and my sonn indured it with great patience and courage, after fower fruitles attempts; for which God be praised.

The King begins his progress 16 August, 1687.

Prince George arriued.

The Kinge began his progress into the [West] from Windsor 16th of August; and the same day the Queen went toward Bath, arriuing there the 18th. Prince George arriued at London the 15th, and went immediately to Windsor. The Kinge in his progress was presented with seueral addresses, which his Majesty was well pleased with.

This month, the East India Company had news of a dispute between their men and some of the Mogul's subjects, in which the English had the better.

Lord Spencer sent to condole the death of the Duches of Modena.

The Lord Spencer, sonn of the Earl of Sunderland, is sent to the Duke of Modena on a complement of condolance for the death of his Duchess.

Sir Robert Holmes.

Sir Robert Holmes sent with a squadron of ships to suppress the pirates in the West Indies, either by force or assurance of pardon.

Creation of Earl of Derwentwater.

His Majesty, by patent, created Sir Francis Ratcliff, of Dilston, in Northumberland, Baron of Tynedale, Viscount Ratcliff and Langly, and Earle of Darwentwater. His sonn is married to Mary Tewdar, base daughter to the last Kinge, by M. Davis, the player.

Court of Chiualry, or the Earl Marshall's Court.

His Majesty requires the Duke of Norfolk, Earle Marshall of England, to hold his court of chiualry, as was vsually held before the warr, for rectifying many abuses not releiuable in any other court; and accordingly the said Earl held his court 5th October.

Duke of Albemarle forced into Plimouth by ill weather.

The Duke of Albemarle, meeting with fowle weather at sea, put into Plimouth 23d September; and Sir William Phips (the captain that brought home the treasure), haueing spent his foremast in the storme, put into Catwater to repaire that defect.

22 September.

I went from Bigots * to Felix Hall to the baptizing the 4th daughter of Sir Anthony Abdy; Sir John Abdy was godfather, and my daughter Jennour and the Lady Wyseman, of Rivenhall, were the godmothers. After two or three dayes I went to Assingdon Hall, Philip Gurdon's, in Suffolk, where I stayed two nights and one whole day; but I dined there both the other dayes. I came from Felix Hall, home to Screenes, October the 1st, and the 27th I came to London to my house in Greek Street. There was a pamphlet, entituled, A Letter to a Dis-

* Bygods, near Dunmow, the seat of the Jenour family.

Sir Richard Lestrange, his answer to a Letter to a Dissenter.

senter, went about in the dark, and sold very deare, which was answered by Sir Robert Lestrange; and both beinge now printed, are publickly sold for 6*d.*; so much benefit the world hath by Sir Robert his answer.

The Gazet of the 6th of October giues notice that one Thomas Hebdon, beinge the person who committed the robberie on the Holland,* went from Scarburrough, in Yorksheire, the 11th day of September last, and describes him and his horse.

The Imperial Armie hath had wonderfull success this summer, the Turks not daringe either to fight in the feild, nor stay to defend any place, but desserted Esseck, and all other places that the Imperialist came before.

The King and Queen returne to White Hall.

The King and Queen returned to White Hall the 11th October, and the next were both inuited to dinner to the Lord Mayor's feast. The next day the Prince and Princes came to town, and were also inuited to dinner; and accordingly the King dined, the 30th of October; an ill dinner.

The Duke of Albemarle set sayle from Plimouth.

The 12th of October, the Duke of Albemarle set sayle again from Plimmouth. God send him a prosperous voiage!

Duke of Hamilton and Sir Nicholas Butler sworne of the King's Priuie Councill.

The Duke of Hamilton and Sir Nicolas Butler were sworne of the King's Priuie Councill the 14th of October.

The King in his progress finding the counties, cities, corporate towns, collegiate and cathedrall churches had not payd the fees due to his seruants vpon his arriuall in any of the places aforesaid, deputed Sir Thomas Duppa, Vsher of the Black Rod, to collect the same, giueing them to vnderstand, if the fees were not payd, the refusers should be prosecuted.

The 11th of November, the Gazet giues the world notice that the same day the honorable and reuerend father Edward Petre, clarke of the closet to his Majesty, was sworne of his Majesties Priuie Council, and tooke his place at the Board. This man is by order a Jesuite, and the only man of that order

* Probably this alludes to the mail robbery mentioned in page 297, and perhaps it took place in the parish of Holland, near Colchester.

of the Publick Councill to any prince in Christendome; he is descended from the third sonn of the first Lord Petre.

I may obserue that the Gazets giue notice of seuerall Popish books are printed; which was neuer before vntill about a fortnight since, November 21. Popish books published in the Gazet.

The King, by his proclamation, inforces the Act made by the late Kinge in the 22d of his raigne, for improuement of tillage. A proclamation to inforce the executing the late Act for improvement of tillage.

The Kinge publishes an order how farr, and for what, the souldiers may be trusted. For the trusting the souldiers.

The Kinge, in pursuance of his Declaration for Indulgence, and that he may setle and secure those of his owne relligion by a law, hath indeauoured, by treatinge with seuerall persons of the last parliament, and such as are likely to be chosen into another; and because very few of that great bodie doe ordinarily come to Court, his Majesty hath giuen instructions to the Lords Lieutenants and others, to treate with the Deputy Lieutenants, and Justices of Peace, who haue put, by his Majesties order, three questions. 1. Whether, if you are chosen Knight of the Sheire, or a Burgess, for the next parliament, will you giue your vote for takeing away the penal laws and the test? 2. Will you giue your vote for one that will, if you will not? 3. Will you liue peacably with your neighbours under his Majesties dispensation of those laws and the test? Which proceedings haue met with diuers answers, very few complying (as is sayd). But his Majesty, pursuinge his designe, published in the Gazet of Munday the 12th of December of the date of the day before (viz.) "His Majesty haueing, by his gracious Declaration of the 4th day of Aprill last, granted a liberty of conscience to all his subjects; and resoluinge not only to manteine the same, but to vse his vtmost endeauours that it may pass into a law, and become an established security to after ages, hath thought fit to reuise the lists of the Deputy Lieutenants and Justices of the Peace in the seuerall counties, that those may be continued who shalbe ready to contribute

Closettinge.

Three questions put by the Lords Lieutenants to the Deputies and Justices of Peace.

A 2d declaration or order by his Majesty concerning liberty of conscience.

what in them lies towards the accomplishment of so good and necessarie a work; and such others added to them, from whom his Majesty may reasonably expect the like concurrence and assistance."

Papists and fanaticks are made Sherrifs.

In pursuance of the same designe, the King hath appointed in many counties Papists, and, where not Papists, fanaticks.

An order (or sentence after sentence) against the Fellows of Magdalen colledge.

An order by the Commissioners for Ecclesiastical Causes, &c. of the xth of December instant, was published in the Gazet thus:

"Whitehall, December 10th.

"His Majesties Commissioners for Ecclesiasticall Causes, and for Visiting all Cathedrall and Collegiat Churches and Colledges, &c. met this day, and takeing into their consideration all that had passed in the buisines of St. Mary Magdalen College, in Oxford, and the contemptuous and disobedient behauiour of Dr. John Hough, and seuerall of the Fellows of that colledge throughout the whole proceeding, their Lordships declared, decreed, and pronounced, that Dr. Hough, Dr. Charles Aldworth, Dr. Henry Fairfax, [and the rest by name which were mentioned herein formerly,] shalbe incapable of receiuing or beinge admitted into any ecclesiasticall dignity, benefice, or promotion; and such of them who are not in holy orders were adjuged incapable of receiuing or beinge admitted into the same; all Archbishops, Bishops, and other ecclesiasticall officers and ministers within the kingdom of England, beinge required to take notice of the sentence and decree, and to yeild obedience there-vnto."

It is to be noted that the Commission for Ecclesiasticall Causes was lately renewed, and the Bishop of Chester, Dr. Cartwright, Sir Robert Wright, Lord Chief of the King's Bench, and Sir Thomas Jenner, one of the Barrons of the Exchequer, were added. The matter of the Fellows of Magdalene College comeinge to be debated, they beinge now ten, viz. the Lord Chancellor the Lord Jefferies, the Lord President Sunderland, the Lord Chamberlayne Mulgrave, the Earl of Huntingdon, the Bishop of Rochester Dr. Sprat, the Bishop of

Durham Dr. Crew, the Bishop of Chester Dr. Cartwright, the Lord Chief Justice Wright, the Lord Chief Justice Herbert, and Baron Jenner; they were diuided in opinion, and in the debates were of equall numbers; but the Lord Chamberlain beinge absent when sentence was giuen, and the Lord Chancellor giueing his vote not as he had debated, the majority carried the sentence aboue recited.

A vindication of the proceedings of his Majesties Commissioners. Note. There is published by Nathaniel Johnston the case at large, and justification by records and histories.

A book, intituled, "A Vindication of the Proceedings of his Majesties Ecclesiastical Commissioners against the Bishop of London and the Fellows of Magdalen College;" licensed by the Earl of Sunderland, President, the first day of December, 1687. This will hardly quiet the discourse, tho' possibly no answer will be giuen to the argueing part, or to any of the facts recited.

Sir R. Sawyer remoued. Powis made Atturney, and Williams Sollicitor.

The Kinge hath not been well pleased with Sir R. Sawyer, his Majesties Atturney-general, for some good tyme. There was talk that he should haue been remoued when Mr. Finch was, from beinge Sollicitor, and now Michaelmas tearme beinge ouer, the Kinge superseded his pattent, and aduanced Powis the Sollicitor to be Atturney, and William Williams he made Sollicitor. This is he that was Speaker of the House of Commons, and that without the King's approbation; this is he that was so great a stickler for the Bill of Exclusion; this is he that was fined at 10,000*l.* and payd 8 of it. He hath now so indeared himselfe to the Kinge that he hath opportunitie now to recruite himselfe, and possibly may be Speaker of a Parliament very differently principled from the last; and his ambition will carrie him higher. The Court hath talked of the Queenes beinge with child some weekes, which now is made knowne by the King's proclamation, by which his Majesty hath appointed the 15th day of this January for a day of publick thancks in London, &c., and the 29th day in the other parts of the kingdom.

Proclamation for the obseruing 15th January for a day of thanksgiuing for the Queen's beinge with child.

The King, pursuant to the power reserued to his Majesty,

The King changes the Mayor, &c. at Maldon, and amongst others Sir John Bramston and Moundeford Bramston.

vpon the new granting a charter to Maldon, was pleased, by order of councill, to remoue the Mayor and five Aldermen in Maldon; by another order seuerall capital Burgesses, and the Recorder; and by a third order myselfe from the office of High Steward of the burrough, an office I had held euer since the returne of King Charles the Second. In my place he first by order of councill named William Attwood; but he had designed the Recorder's place for himselfe, and judgeing it a trick putt vpon him by John Rotherham the elder, who had procured an order for his sonn to be Recorder, intending himselfe to be Recorder of Colchester, Atwood procures the order to be altered, and Sir William Wyseman constituted High Steward, younge Rotherham remoued, and himselfe made Recorder. Note.—Sir William Wyseman neuer tooke vpon him the office; but, he dyinge, Rotherham senior was made Steward, and so it now stands. The alterations here and elsewhere are in order to the frameing the next Parliament, by remoueing such as will not, and placeinge such as will, take away the test; and it seemes my mind was so well knowne that I was remoued without askeing me any of the questions; so likewise was I putt out of the commission of the peace, and from beinge a Deputy Lieutenant. With my-selfe were about 30 gentlemen put out of the commission of the peace, few of the old Justices left in commission. Sir William Wyseman, and Sir Richard Wyseman neuer acted, nor hath Sir Richard yet, but he appeared at the Assises. Sir John Shaw is kept in, and made Recorder again of Colchester; Mr. John Tendringe, Horsemanden, R. Stanes, and Green, were continued, and I doe not remember more. In their stead is Colonel Henry Mildmay, Collonel Rich, a leueller, or at least a Commonwealth's man, Sir Gobert Barrington, Sir Josiah Childs, and many more of the same stamp and principles; the Kinge judgeinge that out of hatred to the Church of England, and out of desire to haue the penal laws abrogated, they will also promote the takeing away the test too.

And seuerall Justices of the Peace.

Herbert refused to consent to the takeing away the Test, when the King asked him: he was displaced, and Sir Thomas Strickland, a Papist, made Rear-Admiral in his place in January '87. Sir Thomas Strickland, a Papist, made Vice-Admirall in the place of Herbert, a Protestant.

The same month the Duke of Berwick is made Gouernor of Portsmouth. In February Father Corker, a Benedictine monck, as Resident of Cologne, had audience. The Duke of Berwick Governor of Portsmouth.

The King, at the instigation of some, sends Commissioners into London, Middlesex, and into euery countie, to inquire what monies had been leuied on the Dissenters of all sorts, and by whom, in matters relating to relligion. The Commissioners tooke monie of the constables, churchwardens, and of the petitioners too, insomuch that in some places the mony so payd came to more then had been leuied, and the people grew wearie of that exaction, and refused to pay; and so the commission fell, without any effect. Commissioners sent into all the counties to inquire after monies leuied on Dissenters. Falls of it selfe.

After the Duke of Albemarle was gone to his gouernment, his Majesty granted a commission to Sir R. Holmes for the suppressing pirats.

The King recalls his subjects out of the seruice of forreigne Princes; and by Albevill, his envoy, demands his six regiments out of Holland; but besides the Officers few came, alledging they were by treaty to remain there; and in truth they found they were to be imployed vnder the French. The Officers that came were taken into halfe pay, and a regiment raised; and then they were aduanced, and are continued in the armie. In the beginninge of March a French midwife* murdered her husband, a Frenchman. She cutt off his head, his arms, and leggs; threw the head and leggs into a house of office in the Sauoy, and the bodie on a dunghill, not far from the place where she killed him. It was discouerd, and she was tryed, and hanged. The King recalls his subjects out of the seruice of foreign Princes.

* There is an engraving of this wretched woman, whose name was Mary Hobry, in which she is represented in the act of cutting off the limbs of her husband, Dennis Hobry. She pleaded guilty to the charge of murder, and was sentenced to be burnt, February 22, 1687-8.

Marshall Court re erected.

March 11, '87. His Majesty has been pleased, for the better preuenting of disorders, and redressing the same, to appoint a Councill or General Court Marshall, consisting of the General Officers, and other Officers of the army, who are appointed to meet at the Horse Guards euery Friday morninge, for hearing and examining all compleints that shall be brought before them vpon any difference betweene any persons in his Majesties pay, and the punishinge all misdemeanours of Officers and Souldiers; as also to heare and determin all petitions or compleints that shalbe brought before them by any other person, not beinge in his Majesties pay, against any officer or souldier; and to report the true state of the matter to his Majesty, who will therevpon giue such further order as to justice shall appertain.

The enuoy in Holland gaue in a 2d Memoriall, concerning the recalling the King's subjects.

April 9, 1688. The Marquess of Albyvill presented a 2d Memoriall to the States General, about recallinge the English regiments in the seruice of that State.*

The King renews his Declaration for indulgence; caused it to be proclamed, with a prologue and epilogue very plausibly penned.*

The Kinge remoues the Earle of Oxford (on his refusal to complie as to the test) from beinge Lord Lieutenant of Essex, and in his place puts the Lord Petre, who is also Custos Rotulorum. He visited all corporations, and made many Deputy Lieutenants.

The Lord Petre visits the Corporations, and summonses the Deputies and Justices, and proposes the 3 questions.

The Lord Petre, as Lord Lieutenant, by the King's command visited the country, as well as the corporations. He carried diuers gentlemen, Papists, with him in his circuit; and at Colchester seuerall, besides his Lordship, had the freedome of the towne, and, amongst others, one Mumford, an inkeeper at Ingatestone, but my Lord's great freind. At Malden, his Lordship had the freedome, but it was refused to the rest. In the seuerall parts of the country he proposed to the Deputies and Justices the three questions. I not beinge in the country, his Lordship came to my house in Greek Street, where I then and

* These documents are omitted, as printed elsewhere.

yet dwell; but I not beinge at home, he sent a letter to me to meete him, at the Ship, in Grace Streete, the next day, April 4th, 1688, at 4 of clock afternoone. I found there his Lordship, Mr. John Petre, of Writle Parke, Mr. Feilding, who had dined there with his Lordship, and Sir Walter Clergies (who came as sent for, as I was, and on the same occasion). He went away so soone as I came into the roome. After a while his Lordship told me the Kinge had put an imployment vpon him he was in no way fit for; but his Majesty had commanded, and he must obey, and by his Majesties order he was to propose to me three questions. 1. Whether, if I were chosen to serue in Parliament, I would giue consent for the takeinge away the penal laws and the Test? 2. Whether, if I would not stand myselfe, I would giue my vote for one that would take them away? 3. Whether I would liue peaceably with my neighbours (and by some this question hath an enlargement) vnder, and mantein, the King's Declaration? Vnto the two first I said I could not preingage; to the third I sayd I would always pay all duty and obedience to the King, and endeauour what in me lieth to liue peacably with all men. Mr. Petre, of the Park, who acted the part of Secretary to my Lord in all the procedure of this matter, set downe my answer, "I would liue peaceably with my neighbours of all perswasions," which I sayd were not my words, tho' much to my sence.

He did so to me in London.

1 Question.

2 Question.

3 Question.

My answers.

The Kinge haueinge, by order in councill, ordered the reading in the churches his Declaration for indulgence, some of the Bishops presented, by the Secretary the Earle of Sunderland, a petition to the King, conteininge reasons why they could not obey that command, and prayed his Majesty to recall that order. Vpon the 8th of June the Archbishop of Canterbury, the Bishops of Chichester, Ely, Bath and Wells, Peterburrow, St. Asaph, and Bristow, beinge summoned to appear at the Councill, they did accordingly appear. They were askt whether that name was their hand. The petition was shewed

The King had ordered the reading his Declaration in the churches, and some Bishops then in towne petition the King to excuse them.

to which they had subscribed. The Archbishop sayd, if it were a crime, he was aduised that he was not obliged to answer, but if his Majesty required it he should giue an answer. But the King [replied], "What! are you playinge the lawyers?" (for the rest had sayd the same,) and the King bad them withdraw. They were called in againe after a litle tyme, and the Lord Chancellor sayd he was commanded by the King to require him to say whether it were his hand or not. He sayd he would not deny trueth, but would relye on the King's goodnes. Then he owned it to be his hand, as did also the rest of the Bishops. They were bid withdraw, and beinge called in again, they were required to find suerties and giue recognizance to appear at the King's Bench the first day of the Tearme; which they refused to doe, thincking it was a diminution to peerage, and so they were all committed to the Tower.

This is taken for a contempt, and they are summoned to the Council table, and committed to the Tower.

The Queen deliuerd of a son at St. James's.

On Saturday the 9th of June the Queen remoued from White Hall to St. James's, the place where she was to lye in. She was well all night, but about 8 of clock next morning she fell in labour, and by 9, or soone after, she was deliuerd of a son, which, on Munday, in the night, fell ill. The King was called vp by 3 of clock, and the phisitians sent for. An issue made, the fitt went off, and the Prince was well again. The Lady Marques of Powis was sworne Gouernes to the Prince.

The first day of the tearm they are brought to the King's Bench barr, and information read. They pleaded.

June 15, the Atturney-General moued the Court of King's Bench for an *habeas corpus* return immediate for the seauen Bishops, which was granted, and the seven appeared, and by their Counsel exceptions were taken to the warrant for commitment, it sayinge they were committed by the Lords of the Councill, and it did not appeare they were in Councill; but that was ouer-ruled. It was then insisted on that the Bishops, beinge Peeres, ought not to be committed, the matters objected beinge but misdemeanour, for which a Peere ought not to be put to find suerties; but the Chief Justice Wright, Holloway, and Alibone ouer-ruled that point. Powell would not determine or

giue any opinion so highly concerninge the Peerage. The exceptions taken by the Counsell beinge ouer-ruled, that information was read, and the Bishops were required to plead. They desired tyme to plead, the information beinge 150 sheets of paper, very long; but the King's Counsel (the Sollicitor Williams especially) pressinge that they ought to plead immediately, and the Clerke of the Crowne, by the course of the Court, they ought to plead immediately; the three Judges, Wright, Holloway, and Allibone (but Powell was for tyme), ordered them to plead immediately. Then they presented a plea in writinge. The effect was that they ought to haue tyme, and were not compellable to plead presently, and that was longe debated by the Counsell and Court, but was by the same three Judges ouer-ruled; so they pleaded not guilty, and the Court demanded and required them to enter into recognizance for their appearance and standing to tryall and judgment of the Court, 200*l.* of the Archbishop and 100*l.* each other Bishop, and tooke their owne recognizance for appearance that day fortnight. Note. The Bishops had prouided bayle, three Lords to each Bishop, and to that number and more were in Court and in the Hall of Lords; but the Court required no suerties, so there was no other vse of the lords, but only it shewed their loue to the Bishops and the cause. It is to be noted, that in Hall Court, Pallace Yard, from the water stayers, were infinite numbers of people, lords, gentlemen, and common people. The people on their knees made a lane, and begged the Bishops' blessinge as they passed. In theire returne, the people seeing them goe to theire own houses thought they were discharged, and gaue great hussa's.

They plead in writing to the same effect, that is, that they ought to haue tyme, which beinge ouer-ruled, they plead not guilty.

They giue bayle, that is, their own recognizances.

On the day, that is, the 29th, they came to the barr; and, a jury impaneled, they were tryed on the information. The Attorney-general Powis, the Sollicitor Williams, Serjeant Baldock, and the Recorder of London, prest the information against the Bishops; Pemberton, Lawyer, Finch, Levin, Pollexfen, and

They come to tryall.

Are acquitted by the jury.

some others, were for the Bishops, and spake fully to euery point in the Petition, and to the dispencinge power; and boldly and truly shewed the success of such dispensations in former Kings' reigns. Two of the Judges, Holloway and Powell, spake largely vpon the subject's right of petitioninge the Kinge; the other two Judges differed in opinion with them, but sayd not much. The jury went from the bar about 5 of clock; there was a majority for Not Guilty, but four or five then were for Guilty; but by 12 of clock all but Arnold, the brewer, were agreed; about 6 in the morninge he also agreed with the rest. The officer that attended the jurie would haue had them giuen a priuie verdict; but they thought if they severd before the verdict was recorded in Court, some might haue been tampered with, either to change their minds or not to appear; but so they resolued to giue their verdict in open Court; and about tenn of clock, when the Judges were set, they came and gaue

A mightie shout and hussa on the verdict.

their verdict, Not Guilty. At which some standing within hearing gaue a hussah, which others tooke, and it passed through the Hall extreame loud; so into the yards and to the water side, and along the river, as far as the bridge. Williams,

Williams obserued a young gentleman of Grey's Inn to shout, compleined, but he humbled himselfe, and the Bar passing their word he should appear, he escaped commitment.

the Sollicitor-general, who had shewn more eagerness then any other against the counsell (and he was hist as he went through the Hall the day before), had obserued a young student of Grey's Inn, the house he was of, to hussah as he stood in Court, compleined to the Judges, who threatened to commit him (indeed the thing is by no meanes allowable), and required suerties of him. He sayd, he knew a great manie there, but whether they would be surety for him he knew not, nor could he desire it. One at the barr, Mr. . . . . ,* who had married the daughter of the Chief Justice, sayd he knew the gentleman, and that he would vndertake he should appear if the Court required him; and then others at the bar sayd they would be bayle for him. But the Chief Justice sayd, they would take

* Blank in the MS.

Mr. . . . . .* word for his appearance, and Williams sayd he would prefer an inditement or information. Vpon the day that the Bishops appeared I was in the Hall, and beinge joyned with some of the nobility (who were loath to venture into the Court, but yet were ready if any occasion had been for bayle) and seuerall gentlemen, I was askt if euer I had seen the Hall soe full. I sayd, Yea, and fuller, when the crye was, Noe Bishops, no Magpies, no Popish Lords. But the noise was less now, as the crie was otherwise, saue only, Noe Popish Lords.

A call of Serjeants.

This tearme there was a call of Serjeants, in which number was Rotherham, soone after made a Baron of the Exchequer.

Holloway and Powell, Judges of the King's Bench, discharged; in their places Baron Powell and Serjeant Baldock.

Milton, for age, remoued from the Common Pleas, and Jennor remoued from the Exchequer thither, and Ingoldsby and Rotherham made Barons.

July the 6th Holloway and Powell were remoued by discharge out of the King's Bench, into whose places Baron Powell and Serjeant Baldock were put. Milton for his age was discharged (tho' a Papist, and made a Judge by his present Majesty) and [in] his place Baron Jennor placed, and Ingoldsby and Rotherham made Barons: Ingoldsby always a Papist; Rotherham the sonn of a clergieman, always phanatick, and for any thinge to be preferred.

Sir John Trevor, Master of the Rolls, Mr. Christopher Vane, and Colonel Titus sworn of the Privy Councill.

The same day Sir John Trevor, Master of the Rolls, Mr. Christopher Vane, sonof Sir Henry Vane, and Tytus, are sworne of the Priuie Councill. They haue been consulted in the modelling the justices in the counties, and for the next Parliament.

Order of the Commissioners for Ecclesiastical Causes, &c. to returne the names of those that read and did not read the Declaration.

The 12th of July, the Commissioners for Ecclesiasticall Causes ordered the Chancellors, Archdeacons, Officials, &c. to returne to them the 16th of August the names of such clergiemen in the seueral dioceses as read the declaration, and also the names of such as did not.

Sir Thomas Strickland sworne of the Priuie Councill.

Sir Thomas Strickland, the Rear-Admirall, was, the 13th July, sworne and tooke his place of the Councill.

The King and Queen goe to Windsor. The Prince ill, and is remoued to Windsor, and a nurse taken.

August the 7th, the King and Queen came to Richmond, the Prince being ill againe. He had been bred vp by hand hitherto, but now a nurse, a mean man's (a tyle-maker's) wife is found,

* Blank in the MS.

and approued by the doctors, and giue him suck, and he is much better; and his Highnes on the 11th remoued to Windsor, that the Queen might be nearer her. They tell many prettie stories of the simplicity and innocency of this nurse.

But a slender account given to the Ecclesiasticall Commissioners; so a longe day to be giuen.

At the day for the returne (viz. 16th August) the Commissioners met, and some returns were made, but very few. The Commissioners tooke occasion, from one that liued remote, and in a large countie, that sayd he had not tyme, to giue a longer day for them to make returns; and renewed their order for such returns the 6th of December.

The Bishop of Rochester excuses himselfe for attending the Ecclesiasticall Commission.

The Bishop of Rochester, who had from the beginninge been of and acted in the Commission for Ecclesiasticall Affairs, appeared not that day, but sent a letter to his friend the Lord Chancellor excusinge his not goeing on; affirming that what he had done was agreable to his conscience, but finding they intended to proceed with the clergie, as contemning the King's authority, he beinge perswaded they refused out of conscience, he could not punish them; and therefore desired he might be spared, it beinge fitter he should suffer with them then punish them; and therefore desired his Lordship to acquaint the Kinge that he might be spared of attendance there for the future.

The King in Council declares his resolution to hold a Parliament 27th November.

The Kinge in Councill the 24th August, at Windsor, declared he was determined to haue the Parliament meete the 27th of November next; and ordered the Lord Chancellor to send out writs the 18th of September, so that there wilbe duble tyme for the returns. I haue been told that at a Cabinet but few days before, the Lord Chancellor and Father Petre had both longe and earnestly spake to disswade the King from the calling a Parliament so soone; and that the King, when they had ended, rose vp and sayd, But I will haue a Parliament. It was a ful Councill. Sir John Trevor was sent for from the Wells, Tytus out of Huntingtonsheire, and so all the rest.

Memorial by the Envoys of England and France

The King, by his Enuoy, M. de Albavill, had put in a memorial to the States General to be informed the reasons why

such great preparations were made by them. And the French, by his enuoy, put in another to that effect, with this addition, If it were against England, he was obleiged by strict alliance to see the peace kept. to the States concerning their warlike preparations.

14th August, '88, Sir William Glascock, my very intimate freind, dyed at White Hall, where (in the lodgeings formerly the Master of Requests) he had been longe sick. He was a person of great integrity, quick of apprehension, sagacious, and of a cleere and deepe judgment. He had been bred in Cambridge, in Trinity Hall, to whom Sir Richard Wyseman was tutor there. He trauelled after into Holland, where he continued his studies in the ciuill law. In the beginninge of the warr he came back, and married a daughter * of Mr. Mayne's, in Harfordsheire, by whom he had a good estate in lands; but she was very younge, vnder age of consent, so he carried her into France, and stayed with her there vntil she was of age; where he leauing her some tyme, she was peruerted from the relligion she had been bred in, and turned Papist, and neuer returned to our Church, tho' her husband liued and dyed in the communion of the Church of England. After the Restauration of the King, he was by his kinsman and freind, the Earle of Portland, Gouernor of the Isle of Wight, procured to be elected burgess, and serued the Kinge industriously. His Majesty made him Judge of the Admiralty in Ireland, and granted him a salary of 100*l.* per annum; but his employment in the Parliament not sufferinge him to attend there, the Earl of Essex, Lieutenant of Ireland, put another into that office, and his sallary by that meanes was lost. He was, vpon the death of Sir Jervas Hollis, made by King Charles II. Master of the Requests, and a sallary he had for that. But vpon the death of that Kinge, his brother King James II. sett him and all the rest of the Masters of Requests aside; and suffered them not to be at his coronation, not allowinge them any thinge for the loss of their office; only about a year Sir William Glascock dieth.

* Sarah, youngest daughter and one of the two coheirs of James Mayne, of Bovingdon, Herts, was second wife to Sir William Glascock.

before Sir William died, a little before the Earl of Rochester went off from the Treasury, the King was content he should haue 100*l.* per annum pension; which was payd him, I thinck. The rest had nothinge. Sir John Birkinhead died; Sir Charles Cotterill got his son receaued into his place of Master of the Ceremonies; and Mr. Povie was of the Queen Dowager's Councill before, and continued so. Sir William was borne in Essex, and had a prettie seat left him by his father, Aldham Hall (as I remember), and about 150*l.* or 200*l.* per annum, which he sold. He left a lease of the Rectorie of Langly in Hertfordsheire, held of the Bishop of Elie for three liues; and he had mony left after the sale of Bourne Hall in Hartfordsheire. His debts (I meane the mortgage monie) payd, by his will he deuised a bond and the money due on it to his lady and myselfe in trust; which trust, at his great importunity, I tooke vpon me; but so as neither he himselfe nor did I belieue could be performed; and so I told him, alledginge that he could neuer keepe his lady in his life to any rules or bounds of expence, and how should I doe it when he was dead! He sayd, he beleiued the monie would be spent, but he would let the world see he prouided as wisely as he could both for his daughter and his wife. His debts proued very much greater then he did thinck or know of, I beleiue; so that the trust could not possibly be performed as he appointed, and she spent in and about his funerall much beyond what she ought to haue done, his estate considered.*

Some officers in the Duke of Barwick's regiment, which is garisoned in Portsmouth, refuse to take Irish into their companies, and are called to a councill of war, and casheered.

The Kinge sent orders to the Duke of Barwick that he should distribute some of the Irish that were come ouer into the seuerall companies in his regiment and garrison at Portsmouth. He sent for his officers, and required them in theire seuerall companies [to] take them in to compleat their companies, which they refused, and by John Beaumont, their Lieutenant-collonel (he is brother to the Lord Beaumont), spake thus to the Duke of Barwick:—"Sir, I am desired by these gentlemen (with

* He was buried in the chancel of King's Langley church.

whose sence I doe concur), to informe your Grace, that wee doe not thinck it consistent with our honours to haue foreigners imposed vpon vs, without beinge compleined of that our companies were weak, or orders to recruit them; not doubting but if such orders had been giuen vs, we, that at first in very ill tymes raised them hundreds, could easily now haue made them according to the King's complement. Wee humbly petition we may haue leaue to fill vp our companies with such men of our nation as we may judge most suitable to the King's seruice, and to support our honours; or that we may be permitted, with all immaginable duty and respect, to lay down our commissions." The Duke confined them to their chambers. They sent a letter directed to the honorable Major Slingsby, Lieutenant-gouernour of Portsmouth:—"Sir, We are very desirous that our actions may be fauourably construed; wherefore we haue addressed this to you, with the sence of the discourse we had with his Grace the Duke of Barwick, which wee hope will neither appeare mutinous nor disrespectfull; vnto which we humbly put our hands, and desire you to impart it to his Grace. John Beaumont, Thomas Paston (brother to the Earle of Yarmouth), Simon Pack, Thomas Orme, William Cooke, John Port."

They write to Major Slingsby, Lieutenant Gouernor of Portsmouth.

On Tewsday, September 8th, '88, Sir John Shorter, Lord Mayor of London, died; who on St. Bartholomew Eue riding to proclame the fair in Smithfeild, the keeper of Newgat, according to his vsage, presenting him with a glass of sack, the Mayor stopping his horse, he rose and threw him off into the kennell. He was taken vp dead, as they thought; but he reuiued, and died after of the same accident. And Sir John Eyles, an Anabaptist, was sworne Mayor. [What] relligion Shorter was [of] may be doubted, for he was at the Common Prayer and a sermon in the morninge in Guildhall Chappell, went thence and receaued the Communion from Mr. Hall in another church, and in the afternoone had a fanatick preachment in the Hall where he dwelt.

The Mayor of London falls from his horse, and died soone after on that bruise.

The Duke of Bavaria tooke Belgrade by storme; but I presume the history of that war wilbe writ.

The King returns to London.

The 18th of September, '88, the Kinge came from Windsor to London, and the next morninge went down the riuer to Chatham. The Queen and Prince and the whole Court came the 20th.

Skelton committed to the Tower, and the supposed occasion.

The King had receaued a packet from Sir Roger Strickland, from aboard in the Downes, that the Dutch was vnder saile, and in sight; which caused great disorder, and the Kinge came to London next day, and called his Cabinet Councill, and committed Mr. Skelton to the Tower; and whilst the Councill was sitting came letters out of Holland that the Prince of Orange was at the Hague, and had neuer been on board the fleet, which rode all at ancker on their own coasts. The occasion of committing Skelton is sayd to be this: the memoire put in by the French Enuoy disgusted very much the Lords and others, which occasioned his Majesty to send and complein that such a thinge should be done without his priuity, which the French King excused by sayinge he had not done it but that the Enuoy, Mr. Skelton, approued it, and sayd it would be acceptable. But whether he had instructions for it, or vnderstood not his instructions, is a question: in the Tower he is, and very merrie; by which we may guess he feares not much harme.

The King sets forth a Declaration, about the free choice and due returns of the Parliament men.

The 21st of September his Majesty set forth a Declaration.*

An order for Deputy Lieutenants, and such Justices as the Lord Lieutenants recommend, to be restored to the employments of Justices of Peace.

Sept. 26. His Majesty hath been pleased, since the publishinge of his late Declaration, dated the 21st instant, to authorise and impower the Lord Lieutenants of the seuerall counties to grant Deputations to such gentlemen as haue been lately remoued from beinge Deputy Lieutenants; and his Majesty has also giuen directions to the Right Honorable the Lord Chancellor of England to put into [the] commission of the peace such gentlemen as haue been laid aside, and shalbe recommended by the said Lord Lieutenants.

The Countie Court, 25 September, and what passed there.

The Countie Court beinge to be held at Chelmesford, on the 25th of September, I went the night before to Sir Thomas Fanshaw's house, and with him the next day to Chelmesford, where were the Lord Maynard and a great many gentlemen, the writs beinge issued for election of

* Omitted, as printed elsewhere.

members for the Parliament, which were not all deliuerd to the Sherrifs or to the Lords Lieutenants; and among others that were stopped, was that for Essex; yet very many gentlemen came, and some freeholders, such as would giue vote for Mr. Mildmay; but such as intended to vote for Mr. Maynard * and Sir Thomas Fanshaw came not, for wee knew there could not then be legally any choice, yet we went to preuent the adjournement to an inconuenient place; for had the writ been in the Sherrif's hands he must haue proclamed it at the Court, and the freeholders must haue begun the election, yea, and might haue proceeded to the full election too had the countrie come in; but the writ not being come to the Sherrif's hands, and yet we all expected it soone, so that some were for adjourning the Court for a fortnight; but I shewed the Vnder-Sherrif that would not further the business, for if the writ did come within that tyme, yet he could not proclame it then, for it would be the same Court with this, and he was by the writ to cause [it] to be proclamed at the next Court after he received it, which could not be at the adjourned Court, for that was the same. To this, after a very little discourse, all agreed, and we all parted, after we had taken assurance from the Vnder-Sherrif that if the writ came before the Countie Court, which would be that day month, he would cause notice to be giuen in the principal market towns, that there might be no surprise. And so we went to dinner with the Lord Maynard, and after dinner I came with Sir Thomas back to Jenkins that night, and next to my house in Greek Street. Note.—Mr. John Wroth came with a companie of freeholders, intending to stand, tho' he had visited Sir Thomas Fanshaw, and told him he would lay aside his peike † against Mr. William Maynard, and would be for him and Sir Thomas, as the other gentlemen would be: nay, and that day on

* Sir William Maynard's name occurs as Knight of the Shire in the lists of James II.'s Parliament; but the candidate here mentioned was probably William Maynard, second son of the second baron, and not the ancestor of the present viscount, whom Bramston would hardly have styled *Mr.*, he having succeeded to his father's baronetage.

† Pique.

the bench he sayd to Sir Thomas he had not changed his mind. Sir Thomas askt the question, because he had obserued him to bring with him 100 and more freeholders, which none of our party did; yet he changed his mind, and gaue for reason that his standing kept 500 voices from Mildmay, and had hindered none for Mr. Maynard or Sir Thomas Fanshaw; but we all told him by setting vp three, we should certeinly fix Mildmay, and indainger all our three. We were very earnest, but could preuaile nothing with him, but he left the town with the resolution. But that night that I came to town I found a letter, which gaue me notice that the writs were recalled; and soon after his Majesty put forth a Proclamation, dated the 28th of September, to that effect; among other things, the principal, that he had vndoubted aduice of an inuasion intended by the Dutch against England. Indeed, a great fleet hath been rigged, and a great army raised, and haue been longe ready to set saile, but on what designe was not cleerely known; some sayd for England, others against the French Kinge, who had euer told our Kinge the preparations in Holland were against him, which allarmed his Majestie, so that he raised more men, foot and horse, and caused some alterations in the measures he had taken for his Gouernement, for he sent for seuerall Bishops, [and] made the orders to the gentlemen remoued from being Deputy Lieutenants and Justices before recited. He also tooke off the suspencion of the Bishop of London, and sent for him. The messinger went to Ashbie into Northamptonshire, but, he beinge not there, the messinger came back again. The Bishop was as that tyme gone into Yorksheire to his sister, the Lady Cholmly. His Majesty also was pleased to grant his General Pardon, exceptinge only treason committed beyond the sea, or correspondencie that way, and except some other notorious crimes; and all persons, except Robert Parsons, Edward Mathews, Samuel Venner, Andrew Fletcher, Colonel John Rumsey, Maior Maulty, Isack Manley, Francis Charleton esquire, John Wildman esquire, Titus Oates, Robert Ferguson, Gilbert Burnet, and Sir Robert

The writs suspended, and after superseded by Proclamation, and giuing notice that he had vndoubted aduice that an inuasion was intended from Holland.

The King increases his army, both horse and foot, sends for seuerall Bishops, takes off the suspencion of the Bishop of London.

His Majesty publishes a Generall Pardon, except some crimes and persons by name.

Peyton. The greatest part of these were in the rebellion with Monmouth, and fled into Holland, and are supposed to be now in the Fleet.

The King's Enuoy in Holland, by a Memorial, declares that there is no treaty betwene his Majesty and France but what is publick and in print.

The Marquess of Albevill, the King's envoy in Holland, puts in a memoire to the States-General, wherein he declares there is "no other treaty betweene his Master and France but what are publick and in print, which he is commanded, in his Majesties name, to assure their Lordships, and that his Majesty extreamly desires the peace of Christendome, so he wilbe glad to take such measures with your Lordships as may be most conuenient for manteining the peace of Nimiguen, and the truce of 20 years concluded in 1684." This is dated at the Hague, the 5th of October, 1688. There comes with this, aduice that the great preparations which haue been making there for some tyme are continued with extraordinary diligence: the recruits that are ordered to be made will amount to 12,000 men, and 13,000 of the troopes of Brandenburge, Lunenburge, and Hess Cassel are taken into the seruice of the State. The fleet lyes now off Goeree, and the camp has been so ordered that from thence they can send, as they do, the troops to the Texel, Zeland, Helvversluce, and Rotterdam, to be embarkt, and all things wilbe ready for them to set sayle with the next week, with intention to inuade England. And no wonder, then, if his Majesty sent the Earl of Dartmouth down to the fleet as Admirall, Sir John Berrie Vice-Admirall, and Richard Haddock Rear-Admirall, with instructions to fight the Hollanders whereeuer he meet them. Some noblemen send to the King, perticularly the Duke of Newcastle, the Earl of Lindsey, the Earl of Darby, the Lord German, and others, offerd to raise men, and some commissions were sent. The Kinge giues the Garter to the Duke of Berwick, and to the Duke of Ormund.

Aduice from Holland that the preparations are to inuade England.

Fower more excepted in the general pardon.

His Majesty publishes his Pardon again, two days after the other, verbatim with the other, saue only four others are also by name excepted, viz. Laurence Braddon, Samuel Johnson clerk, Thomas Tipping esquire, and Sir Rowland Gwynne.

The King takes off the suspencion of the Lord Bishop of London.

The Gazet tells vs, September 30, '88, seuerall of my Lords the Bishops haueing attended the Kinge on Friday last, his Majesty was pleased, amongst other gracious expressions, to let them know that he would signifie his pleasure for takeing the suspencion off the Lord Bishop of London, which is done accordingly; and since, viz. October 2, his Majestie told the Lord Mayor, &c. that he would restore them their antient charter, and confirme the same as it was before the *quo warranto*.

He restores and confirmes the charter to the city of London.

The King dissolues the Commission for Ecclesiastical Causes.

October 5, '88. The Kinge in Council declares his pleasure for dissoluinge the Commission for Causes Ecclesiasticall, and gaue directions to the Lord Chancellor accordingly to see the same performed.

The Bishop of London waytes on the King.

The Bishop of London was sent for when other Bishops were; but he beinge gone into Yorkshire before the messinger came to the Earle of Northampton's the messinger returned, and so it was longe ere he came; but when he was come, he went to pay his duty to the Kinge. He was introduced by the Earle of Sunderland, and his Majestie gaue him his hand to kiss, and sayd, "My Lord of London, I cann forget and forgiue, and I hope you will approue yourselfe a Church of England man, as you haue professed to be. I haue caused the suspencion to be taken off." The Bishop answered, "Sire, I was a Church of England man when you suspended me; I am so now, and by the grace of God resolue euer to be so."

What the King sayd to him,

and his answer.

His Majesty hath giuen order to the Lord Bishop of Winton to visit Magdalen College, and to doe according to the law and statutes of the college.

An order to the Lieutenants to inquire of the abuses and irregularities in regulating Corporations.

October 10. His Majesty made this order: "His Majesty haueinge receaued seuerall compleints of great abuses and irregularities committed in the late regulations of the Corporations, has thought fitt to authorize and require the Lord Lieutenants of the seueral counties to informe themselues of all such abuses and irregularities within their Lieutenancies, and to make forthwith report thereof to his Majestie, togeather with what they

thinck fit to be done for redressing the same; wherevpon his Majestie will giue such further orders as shalbe requisite." What effect this order can haue I see not, since the irregularities in most places were by the Lieutenants themselues.

Pursuant to the afore-mentioned order the Lord Petre, as Lord Lieutenant, sent a letter to the Deputies seuerally, all of one and the same tenor. That to me was this: The Lord Petre's letter to me.

"Sir,—Whereas I haue receaued an order from his Majesty to raise some part of the militia for the security of the country; these are to desire you (with the rest of the Deputy Lieutenants) to meete me at Chelmsford on Munday next, at the Cock, by ten of the clock, in order to receaue your deputations. Not doubtinge of your concurrence, in this apparent dainger of an inuasion,

"I am, Sir, yours,

"Ingatestone, October 9th, 1688. PETRE.

"A line or two in answer will oblige me."

This was sent to Screenes, and my son sent it to me at Greeke-street, and I received it 13th following; to which the same night, by the post, I gaue this answer:

"My Lord,—I make hast to preuent your Lordship's expectation of me at Chelmsford on Munday next, your Lordship's summons ariuing here but late this euening.

"Your Lordship's most humble seruant,

"Greeke-street, 13th October, 1688. JOHN BRAMSTON."

The same night, about 9 of clock, came Mr. Woodcock, the Vnder Sherrif, who is also Clerk of the Peace: he told me he had a *dedimus* to giue me the Oath of a Justice of Peace, I beinge put in againe; and was openinge the paper, but I answerd, I was old, and out of the countie, and found much quiet by the ease his Majesty had giuen me, and should not truble my-selfe any more in that kind. I askt whom he had sworn, and who else were put in. He sayd, all that were put out, but The Clerk of the Peace came with a *dedimus* to sweare me, but I excused it.

he had been with none; he came from the Lord Chancellor's directly to me.

The King orders the Bishop of Winchester to visit Magdalen College, and to setle it regularly and statutably.

October 12th, '88. The Kinge haueing declared his resolution to manteine the Church of England in all its rights and immunities, his Majesty, as an euidence of it, hath signified his pleasure to the Right Reuerend Father in God the Lord Bishop of Winchester, as Visitor of St. Mary Magdalen College in Oxford, to setle that Society regularly and statutably.

Such corporations whose surrenders are not inrolled restored to their antient priuilidges.

The King by a long proclamation restores to such corporations whose deeds of surrender are not inrolled their antient liberties, priuilidges, &c. except some therein mentioned; this beares date the 17th of October, '88.

The King remoues such as he had placed, and restores such as had been displaced.

The King by order in Councill remoues such officers as by the clause in the new charters he had power to remoue, except in some corporations mentioned in his Proclamation, signed, "John Nicholas."

He also by order remoues all such officers as he had placed: signed, "Sunderland."

What was passed between his Majestie and the Bishops was not diuulged. The Bishops were very silent, and would not own any thinge but general discourse; but there is a paper now come out secretly, with heads of what they proposed to the King, viz.:

Proposalls sayd to be made by the Bishops to the King.

1. First the Bishops thought fit to represent in generall to his Majesty, that it was necessary for him to restore all things to the state in which he found them when he came to the Crown, by committing all offices and places of trust in the Gouernement to such of the nobility and gentry as were qualified for them according to the laws of this kingdom; and by redressing and remoueing such greiuances as were generally compleined of.

2. That his Majestie would dissolue the Ecclesiasticall Commission, and promise to his people neuer to erect any such Court for the future.

3. That he would not only put an effectual stop to the issuing forth any dispensations, but would call in and cancell all those which had, since his comeing to the Crown, beene obteined from him.

4. That he would restore the Uniuersities to their legall state, and to their statutes and customes; and would perticularly restore the Master of Magdalen College, in Cambridge, to the profits of his Mastership, which he had been so long depriued of by an illegall suspencion; and the ejected President and Fellows of Magdalen College, in Oxford, to their properties in that college; and that he could not permit any persons to enjoy any of the preferments in either Uniuersity but such as are qualified by the statutes of the Uniuersities, the perticular statutes of their seueral foundations, and the laws of the land.

5. That he would suppress the Jesuites schooles opened in this city or elsewhere; and grant no licences for such schooles as are apparently against the laws of this nation, and his Majesties true interest.

6. That he would send inhibitions after those four Roman Bishops, who, vnder the title of Apostolick Vicars, did presume to exercise within this kingdom such jurisdictions as are, by the laws of the land, inuested in the Bishops of the Church of England, and ought not to be violated, or attempted by them.

7. That he would suffer no *quo warranto* to be issued out against any corporation, but would restore to those corporations which had been already disturbed their antient charters, priuilidges, grants, and immunities, and condemne all those late illegall regulations of corporations, by putting them into their late flourishing condition and legall establishment.

8. That he would fill vp all vacant Bishopricks in England and Ireland with persons duely qualified according to the laws; and would especially take into his consideration the See of York, whose want of an Archbishop is very prejudiciall to that whole prouince.

9. That he would act no more vpon a dispencing power, nor insist vpon it, but permit that affaire at the first session of a Parliament to bee faireley stated and debated, and setled by Act of Parliament.

10. That vpon the restoration of corporations to their antient charters, and of burroughs to their prescriptiue rights, he would order writs to be issued out for a faire and free Parliament, and suffer it to sit to redress all greuances, to setle matters in Church and State vpon just and solid foundations, and to establish a due liberty of conscience.

11. Lastly, and aboue all, that his Majesty would permit some of his Bishops to lay such motiues and arguments before him as might, with the blessing of God, bring his Majestie vnto the Communion of our holy Church of England, into whose catholick faith he had been baptized, in which he had been educated, and to which it was their earnest and dayly prayer to Almighty God that his Majesty might bee reunited. (All the said Councills were concluded with a prayer to God, in whose hands the harts of Kings are, for a good effect upon them, especially the last.)

Whether these were really proposed by the Bishops or not I cannot say, for such of the Bishops as I spake with I found vnwilling (as I haue sayd) to tell what passed; but, since, his Majesty hath done most of the things; and the rest I hope he will, euen the very last of them.

The King names the Prince James Francis Edward, 15th October, '88.

The Gazet giues account that the 15th instant, in the chappel of St. James, his Royal Highnes the Prince of Wales, beinge before christned, was solemnly named (amidst the ceremonies and rites of baptisme) James Francis Edward. His Holiness, represented by his Nuncio, godfather, and the Queen Dowager godmother. Note, the child is called first by the King's name, next by the name of the Queen's father, and by the last in honour of the Confessor St. Edward.

By proclamation the King commands, on sight

The King by proclamation commands the Lord Lieutenants, &c. to cause the coasts to be carefully watched, and vpon the

first approach of the enemie to cause all horses, oxen, and cattell, which may be fit for burthen or draught, and not actually imployed in his seruice and the country, to be driuen and remoued by the space of 20 miles at least from the place where the enemie shall attempt to land, and to secure them so that they may not fall into the enemies hands.

of the approach of the enemie, to remoue horses and oxen.

The gentlemen in all counties almost where the Lieutenants were remoued, and Papists put in, refused to take commissions vnder them. Norfolk sent an address (which the King called a remonstrance) to that purpose; and in Essex, such as the Lord Petre sent to (except Sir Anthony Brown, and, as I heare, Sir Ed. Turnor,) refused, for that he was not qualified. So the King changed those Lieutenants; perticularly he restored the Earl of Oxford the 19th October, who, hearing I was in town, desired to speak with me. When I came to him he shewed me his instructions in paper, signed by the Kinge at top, and Sunderland vnderneath. He desired me (companie being with him) to take home the paper, and aduise him what he was to doe. When I had perused it, I wayted on him again, and told him that was no commission, but instructions directed to him as Lord Lieutenant; and I supposed he had a commission in parchment, and vnder the Great Seale, for so it ought to be; nor could he make deputies without such commission, for a copie of his ought to be annexed to euery deputation. He sayd he had formerly such an one, but he had not now. I sayd, I suppose the King either supposed he was restored by his order, or intended him a new one; and, for the present, he might call the gentlemen togeather, and aduise what was to be done, pursuant to the instructions; but first, he was to haue the names of the Deputy Lieutenants, which he sent to Mr. William Herris for, and he brought them; where-vpon I drew a copie of a letter, which he caused to be transcribed and sent to euery perticular deputy to meet him at Chelmsford. I told him he would find the militia very much out of order, the officers dead, or vnwilling to act; and that I

Gentlemen that were put out refuse to act vnder the Popish Lieutenants.

The Earl of Oxford made again Lieutenant, and hath instructions and sent to me.

What passed between his Lordship and my selfe.

was sorie he had taken the office of Lieutenant vpon him, without beinge restored to his regiment of Guards, and consulting the gentlemen of the country. He sayd he had refused at first, but he had been aduised to accept it, his circumstances considered. I told him he would find gentlemen not forward to take commands; some would thinck one kick of the breech enough for a gentleman. He sayd, We had been all ill vsed; and he beleiued, this turne serued, we shall be set aside again; but let vs take our fortune togeather. I sayd, The gentlemen I beleiued would rather take commands vnder his Lordship then any Lord in the country; for my own part, I was very old, and was setled in towne in a house, and could not take any such command vpon me: which I found trubled him; but he sayd he hoped I would goe down with him; I should goe in his coach. To which I made no replye; it was just at our parting. Seuerall gentlemen of the county came yeasterday to aduise,—Sir Thomas Fanshaw, Sir William Holecroft, and Mr. William Peck,—beinge all vnwilling to act, and therefore would aduise whether to meet or not, beinge trubled that the Earl had taken vpon him the Lieutenancie. But I telling them at the next meeting nothinge would be done, for I thought my Lord had no commission yet, and so they could haue no deputations, they resolued to meet him.

The King summons the Lords of the Council and other Lords, the Bishops, Lord Mayor, and Aldermen, &c. The Queen Dowager and the Ladies and Lords which were present at the Queen's labour, giue euidence, which is entred in the Councill book, and afterwards registerd in the Chancery and Petty bag,

October 22. The Kinge, haueing summoned the Lords of the Councill, and other Lords neere the towne, Bishops, the Lord Mayor and Aldermen, and the Judges, and seuerall of the King's Counsell at Law, the Queen Dowager, and seuerall Ladies, Lords, and others that were present at the Queen's labour, did appeare there, and declared vpon oath what they knew of the birth of the Prince.

The most part of them also appeared in Chancery two or three dayes after, and there gaue their testimonies again, which is recorded in that Court; and of all which the Gazet sayes publication shalbe made: when it comes I will insert. The occa-

sion of this is as well the doubts which haue been made in Holland, as generally in England. What satisfaction this will giue when published we shall see, but I find no man that doubted before to be better satisfied; for my own part, I neuer doubted it; but it was strange none more concerned were called to be present at the Queen's labour.

and is all in print, and very large.

The King, by a longe proclamation of the 26th of October, prohibits telling or spreading false news, by writing, &c. or hearing and not acquaintinge some Judge, Magistrate, &c. vnder seuere punishment.

The King, by proclamation, prohibits the spreading of false news, or discoursing of the ministers of state, &c.

News comes from the Hague 31st of October, which is our 21st, that the Dutch fleet, consistinge of 52 men of war, with a very numerous attendance of victuallers, and ships for transportation of horses, ammunition, &c. on Friday before set sayle from the Fleets neere the Bril, with the wind at S. W. and by S. The Prince of Orange imbarked on a frigat of 28 or 30 guns, and with him Count Nassau, General of Horse, the Count de Solmes, Colonel Kirke, and the Marischall de Schomberge; when the wind came more westerly, and the last night was very stormie, which has obleiged them to come in again, haueinge sufferd considerable damage; 400 horses haue been thrown ouerboard, and seueral dead men; one of their men of war stranded, and another disabled. This the Gazet tells us.

The Dutch fleet suffer damage in a storme.

The 28th of October, the King remoues the Earl of Sunderland from Secretary of State, and constitutes the Lord Viscount Preston in his place. This remoue is somewhat misticall; there are those that say he was not so true to the King as he ought, and that the King, when he dismissed him, sayd, "You haue your pardon; much good doe it you. I hope you wilbe more faithfull to your next master then you haue been to me." For it seems some paper in his custody is missing, and, as these polititians will haue it, the Prince of Orange hath it; and that it is the original articles between our King and the French: yet his

The Earl of Sunderland remoued from Secretary of State, and the Lord Preston put in.

Majesty hath affirmed, by his Enuoy to the States, there are no articles between them but what are publick and in print. It is a vast sum of monie that the Earl of Sunderland hath borrowed, and Sir Stephen Fox refused to lend or deale with him vntil he had sued out his pardon, which the King had lately granted in general, and, that being done, Sir Stephen lent the monie.

The Bishop of Winton visits the college.

The Bishop of Winton, the 16th of October, caused a citation to be fixed on the College gate and chappell doores of Magdalen College, in Oxon, to recall Dr. Hough, the former Fellows and Demies, &c. by the 2d of November following; but the King calling the Bishop and others on the occasion to be present at the examination of the persons present at the Queen's labour, it caused a delay in the Visitation vntill the 24th of October, when the President, Dr. Hough, attending on him, a speech was made by Dr. Baily. He performed diuine seruice, and then proceeded to execute his office as visitor; and sayd, "Since his Majesty of his clemency was pleased to commission me to restore you former proprietors of this foundation; in obedience to this command, I am come to reinstate you accordingly, resoluing to doe it legally and statutably." From the chappel they adjourned to the hall, where his Lordship discoursed in his speech which he made, of loyalty and vnity. Then the statute book was called for, the statute for visitation was read; then his Lordship called for the buttery book, and toare the names in the last week's names of the Roman Catholic Fellows. He gaue order to reinscribe all the old ones except Mr. Charnock, and two Demies, which were preferred since to other fellowships; then, calling them all ouer in order, he published and declared Dr. Hough to be the Head or President, and the rest the true, legal, and statutable members of that foundation, and none others.

He restores Dr. Hough and the Fellows that had been remoued.

One taken dispersing declarations.

One Captain Lanham, who brought some declarations from the Prince of Orange, was taken dispersing them, and was

indicted; but the Grand Jurie not being allowed to see the Declaration, and it not being recited, but only some clauses, they found *ignoramus*.

The King, takeing notice that the Prince of Orange and his adherents had indeauoured to disperse treasonable papers, warns by proclamation the subjects of the dainger, and forbids the receauing, reading, or hearing to be read, those or any such, &c. This is dated November 2nd.

The King prohibits the dispersing, reading, or hearing read those Declarations.

On the 3rd, in the night, news came to the Kinge from Dover that the Dutch fleet had sayled by, steering a Channel course, westward, the wind at east-north-east, a very fresh gale. And from Deale came news that his Majesties ship the Swallow had brought into the Downs a flie-boat, one of the tenders of the Dutch fleet, haueing on board four companies of foot of Collonel Babington's regiment, commanded by Maior Collambine. Captain Aylmer commanded the Swallow.

The fleet seen to pass by Dover.

One of the tenders taken by the Swallow.

The Earl of Oxford sending out letters, notwithstanding he knew I was in towne, and what I had sayd to excuse my-selfe from truble, my age and non-residence in the county, yet sent me a letter to meet him at Chelmsford November 5th. I went ouer-night to wayt on his lordship, but met him not.

The Earl of Oxford writ to me.

The Lady Glascock persisting in her extrauagant way of expence and violent humour, capable of no aduice nor restreint, I was tyred out, and at her request assigned the trust to Mr. Alexander Stanhop, and tooke her and her daughter's approbation of my account, and their couenant to secure me from any truble or charge by reason of the trust. The monie was placed by Sir William in Mr. Child's and Mr. Rogers' (goldsmyths) hands when he sold Bourne Hall,* and there it was when I assigned, (I meane what had not been withdrawn by her order); but she, pretending now it was not safe there, a war likely to break out, would haue it placed with the Marquess of Hallifax, on his single bond only, which I thought not fit for me to doe; for tho' it was now on bond only, and that of bankers, and so I could

I resigned my trust in the monie of Sir William Glascock, and the reasons why.

* Bourne Hall in Herts, his wife's inheritance.

not vndertake to warrant it there, yet I considered it was in the same hands Sir William left it, and so I might more warrantedly leaue it there vntill some such disposable [investment] could be made as by the will was directed, then to change the personal security for another, only personal too; and, therefore, I refusing to complie, she (rudely enough) prest me to assigne; and first her councill had drawn the assignment to herselfe, but that I refused, as contrary to her husband, the testator's, will, who would not that the trust should come into any single hand.

The Prince of Orange landed in Devonsheire.

On the 6th of November news came by an express that the Prince of Orange and the rest were landed at Dartmouth and other places in the west, and the next day that the Prince was in Exeter; wherevpon the King sets forth a Declaration, wherein he takes notice again that the Prince had published a Declaration with many specious pretences for his inuasion; but, by the stile, and other commands to the Lords Spiritual and Temporall, and others, it is plaine (says his Majesty) that he designes the Crown; wherefore he requires all his subiects, out of their duty and naturall allegiance, to be assisting to the repelling the forreigners and rebells. This is dated the 6th instant.

The King questions the Bishops about a passage in the Prince of Orange his declaration.

The Prince of Orange, it seemes, in his Declaration says he was inuited by the Lords Spiritual and Temporal to this vndertakeing; wherevpon the King sent for the Lord of Canterburie, and told his Grace of it, who denied that he had either directly or indirectly, by word, message, or writing, done any such thinge, neither did he beleiue any of his brethren had, and that he would send to those of his Prouince; which he did, and such as were neere came, (viz.) the Archbishop, Bishop of London, Bishop of Peterburough, (with the Bishops of Durham, Chester, and St. David's, I thinck.) London and Peterborough sayd as the Archbishop had sayd. Wherevpon the King required them to set it vnder their hands. They sayd they knew of no such Declaration as his Majesty mentioned. The Archbishop was the person that spoke it; and he named Rotherham and Heath, that

they desired to be excused for putting any thinge vnder their hands, haueing had so much truble lately by signinge as they thought an humble Petition to his Majesty, which yet his Judges had declared to be seditious in their circuits, and very neere treason. The King vrging them still, and they excusing, the King sayd, If they had not inuited the Prince, as the Declaration sayd, they ought to shew their abhorrence of the Declaration. The Bishop of London sayd they could not abhor that they had not seen nor heard. They desired they might first heare the Declaration, which his Majesty refused, but required his Secretary, the Lord Preston, to read that clause in the Declaration, and had drawn in writing something testifiinge their abhorrence. But they sayd they were but few, and did not vse to doe any such things without aduising with and consulting the rest of their Brethren. The Kinge parted with them very displeased.

Protestant Sheriffs.

The Kinge appoints Protestants High Sherriffs in all the counties.

The numbers that are come with the Prince of Orange.

The Gazet publishes a list of the regiments of horse and foot that are come with the Prince of Orange, as printed in Holland, which makes them, foot 10,692, horse and dragoons 3,660, so in all 14,352.

The Prince of Orange his packet sent to the States taken at sea.

The Prince at his landing, it seemes, sent away to the States. His packet was taken at sea, and brought to the Kinge. Part of the contents his Majesty let bee known, viz. where he is landed, that 11,300 are safe come ashore, and that many come in to him, (which the King heard not, or did not beleiue before,) and that as soon as he had euery thinge ready he would make way to London; but the King will send him word he will stay for him on Salisburie Plaine; and to that end the Artillerie marched westward on Saturday 10th November, and all the forces are marching that way. The same day the King had an express from Oxford that 100 horsemen, two calesses close shutt vp, one with six grey the other four black horses, passed through the

town ; some say the Lord Colchester, Mr. Wharton, and Collonel Godfrey, (this Collonel married Mrs. Churchill, mother of the Duke of Berwick;) so that the Kinge is satisfied people doe goe to the Prince.

The boys make a great riot in St. Johnes about the mass house, and some are killed by the Guards.

Sunday November 11th some boys and youths gathered togeather again, (they had done so a day or two before, but were then pacified by the Lord Craven,) and now indeauoured to pull down a house in St. Johnes where mass was sayd; and some of the Horse Guards were sent for, and the Sherrif, and great stirr there was. The boys threw stones, and had cudgells, and so prouoked the Guards that they shott bullets, and killed some of the boys, and with their swords wounded others, and with very much adoe droue the boys away; but yet they threaten to haue the house downe, and also other mass houses. But the King sent for the Lord Mayor, gaue him great charge to keep the city quiet, and sayd there should be no more vse made of those houses, that the goods should be remoued, and that he should take care they might be safely conueyed, (for three loads of the goods that were carried from St. John's were met by the youths in Holborne and burned.) A stronge guard both of horse and foot were set in Holborne, the Strand, about Somerset House, in Covent Garden, at the Mews, and in seuerall parts within the citie, the 17th, 18th, and 19th of November, and all things were quiet on Queen Elizabeth's birthday, and since.

I accepted a deputation vnder the Earl of Oxford vpon his great importunity, it being for his honor, as he sayd to me.

The Earl of Oxford haueing taken a new pattent to be Lord Lieutenant of Essex, he sent for me, and importuned me (after he had deliuered me his instructions, and desired me to take them, and consider what he was to doe,) to be a Deputy Lieutenant, which I excused by my age and absence out of the countrie, but he pressinge me very earnestly for his owne honor, I accepted it; and telling him Henry Lemmon beinge dead, the office of Muster Master was void, where-vpon I desired I might recommend a kinsman of mine to the place, he sayd

I should haue the disposal of it; but the next tyme I see him he sayd Sir Edward Turner had minded him that he had granted it before to one John Fountain, a seruant to the Duke of Albemarle. I sayd, he was not capable of it, because, by the Act, he ought to be resident in the countie, and Fountain was at Jamaica, and so could not make a deputy. My Lord seemed glad, and sayd so; but next tyme I came, one Moore shewed me a grant vnder my Lord's hand and seale of the reuersion after Lemmon to him (he haueing agreed with Fountain); which, tho' it were void also (for it was only vnder his hand, and at that tyme the Duke was jointly Lieutenant with his Lordship), yet, in respect he had been longe his seruant, and the grant I was satisfied was really so, I acquitted my Lord from his promise. The grant was witnessed by Sir Robert Evered, Sir Edward Smyth, Mr. Pert, and Mr. Tendringe, and was when my Lord was at Chelmsford in the tyme of Monmouth's rebellion. The person I designed the place for was Colonel John Bramston, one of the sons of my father's brother, who had serued the King Charles the First, of whom I haue formerly giuen some account.

The Prince of Orange goes to Exeter, and the Bishop, Dr. Lamplow, and the Dean and Chapter, forsook the city, which displeased the Prince of Orange, but pleased the King, who translated the Bishop to the Archbishopric of York, which had been long void.

The Prince of Orange goes into Exeter; the Bishop left it before, and is rewarded.

November 12. The King had account from Exeter, that none came into the Prince, so ill was the King's intelligence; for the same Gazet giues account that the Lord Lovelace, with a party of 70 men, well appointed, passing thro' Cirencester, were stopped by the officers of the militia, and himselfe and 13 of his partie were taken after a sharp resistance; that the Major of the regiment, one Lorege and his son, were killed; the Major had been a stout caualier. One Captain Lee, who was also a Deputy Lieutenant, and seuerall others, were wounded. On the Lord

The Prince of Orange in Exeter, and the ill account the King hath of affaires.

The Lord Lovelace taken at Cirencester by the militia of the countie, and the Major and his son killed.

Lovelace his party, it says, they know not how many fell. It is sayd one Mr. Whitlock was killed, but I heard none else named. He was a son of Whitlock the lawyer, an active, great man in the rebellion against King Charles the First; he was ambassador to Sweden, and one of the first Commissioners for the Great Seale made by the rebells.

Three regiments goe ouer from the King to the Prince.

Soone after came an express to his Majesty that three regiments were intirely gone off to the Prince of Orange, viz. the Lord Cornbury's Dragoons, the Duke of St. Alban's (the son of Charles the Second by Nell Gwin) Horse, commanded by Langston, and the Duke of Berwick's, formerly the Lord of Oxford's regiment; but we heard next day that all the officers of the last regiment were returned; others say, only such Papists officers, and soldiers, put in by the Duke of Berwick since he had the regiment.

The King goes to the army, and the reasons.

17 November. The King haueing resolued to goe in person to the army (the Earl of Feversham haueing had orders, vpon the news of the revolt of the three regiments, to retire with the armie, least, whilst so neere, men might goe off), went from London to Windsor, intending to goe next day to Salisburie, neere to which place he intends the rendezvous for the whole army. The Prince George attended his Majesty, and the Prince of Wales was gone an hower or two before to the same place; and the same day, before his Majesty left the town, some Peers, spirituall and temporall, subscribed to a Petition, and presented it to his Majesty, with the title and words following, viz.

Some Lords spirituall and temporal petition the King, which displeased his Majesty.

"To the King's most excellent Majesty, the humble Petition of the Lords Spirituall and Temporall whose names are subscribed.

"May it please your Majesty,

"We, your Majesties most loyall subiects, in a deepe sence of the miseries of a war now breaking forth in the bowells of this your kingdome, and of the dainger to which your Majesties sacred person is thereby like to be exposed, and also of the dis-

tractions of your people by reason of their present greiuances, doe thinck ourselues bound in conscience by the duty wee owe to God and our holy religion, to your Majesty, and our countrie, most humbly to offer to your Majestie, in our opinion, the only visible way to preserue your Majestie and this your kingdom would be the callinge of a Parliament, regular and free in all its circumstances. Wee therefore doe most humbly beseech your Majesty that you would be gratiously pleased with all speed to call such a Parliament, wherein we shalbe most readie to promote such counsells and resolutions of peace and settlement in Church and State as may conduce to your Majesties honor and safety, and to the quieting the minds of your people. We do likewise humbly beseech your Majesty, in the mean tyme, to vse such meanes for the preuenting the effusion of Christian blood as your Majesty shall seem most meet. And your Petitioners shall euer pray, &c.

> "William Canterbury, Grafton, Ormund, Dorset, Clare, Clarendon, Burlington, Anglesey, Rochester, Newport, Nom. Ebor., William Asaph, Francis Ely, Thomas Roffen., Thomas Petriburg., Paget, Chandois, Osulston. Presented by the Archbishop of Canterbury, Archbishop Elect of Yorke, the Bishops of Ely and Rochester."

Some Peers did refuse to signe the Petition.

To this Petition seueral Peeres refused to subscribe, particularly the Earl of Oxford, who told me he gaue these reasons for refusing, viz. that he thought it would displease the King, and he beleiued the Prince of Orange too; both their armies, beinge numerous, must lye a longe tyme vnder a cessation of arms. Also, how shall elections be made in the West? or how shall the Peers and Commons with the P[rince] come and sit, elect, or be elected? This Petition displeased the King extreamly; and some say he sayd, if a third part of his army only did stick by him, he would fight. I confess I am of opinion the King ought not to grant the desire in the Petition; but yet I

doe not blame the petitioners absolutely, it seeming reasonable to me that the Prince should haue proposed to the King something first, which I haue not heard he hath yet done; for his Declaration, what is it? we know not, nor dare ask; yet by the Reflecter, who says he hath seen it, there is some clause tending to haue a free parliament called. And the King, by his Proclamation, which prohibits the reading it, seems to giue an answer that there can be no free parliament so longe as there is an army of forreiners in the kingdom. But yet this Declaration was taken, not sent.

The Duke of Grafton and the Lord Churchill leaue the King and goe to the Prince of Orange.

When his Majesty came to the armie, he soone found the temper of the officers and the soldiers, and did not aduenture to trye them with the oath framed in his rules. The Duke of Grafton and the Lord Churchill, I am told, layd a plot to haue carried him to the Prince of Orange, and had perswaded him to goe to view a place conuenient for the batle, which was some miles neerer the Prince then Salisburie, and their men neerest quartered thereto. He was agreed to it; but next morning his nose bled much, a thing vnusuall with him; it bled so much that his phisitians let him blood, and that stayd his journie that day. In the night, the two Lords were very earnest with the Duke of Northumberland, who commanded a part of the Guards, to goe with them ouer to the Prince of Orange, but he refused. They stayd very late with him, but could not preuaile vpon him, so they left him; but, fearing they might be discouered by him, they were necessitated to make hast away that night, and carried none of their men, but only the Grenadeers that attended the Lord Churchill's troop of Guards.

The King returnes from Salisburie on the suden.

The Duke of Northumberland refused to go with Grafton and Churchill.

Abundance of officers are gone, but not that proportion of soulgers. Sir Frederick Compton came back so soon as he discoverd the design. The Lord Cornbury and Langston had told him they had orders to goe and beat vp the Prince's quarters, and that he and his regiment must march alonge with

them; so the trumpet sounded, and the three regiments marched out, and as far as Dorchester, without stop, and there they baited, and on they marched to Axminster, which was 50 miles. There Sir Frederick, vnderstanding how the matter stood, that they were within the Prince's quarters, he in the night came away with his seruants only, and came to Bridport; and in the morninge came three of his troops to him, from whence he marched them to Salisburie, and into the town in the head of them. The King, tho', when he came to Salisburie, found it necessarie to bringe his army farther from the Prince, and ordered the returne of the artillerie, and the march back of his armie, and himselfe by easie journies came to London, 26 November. In the night before that day the Princess Ann went away from the Cockpitt, attended only with the Lady Churchill and Mrs. Berkley (whose husband was gone from the army with the Lord Churchill). The Prince George was gone from Salisburie the night before the King came thence.

The Princess Ann goes away secretly in the night from the Cockpit.

Since the King's returne to London he hath called the Lords Spiritual and Temporal that were in town to Councill; and they haue aduised the calling a Parliament, a General Pardon to all his subjects, and that they should send Commissioners to treat with the Prince of Orange: to all which his Majesty hath agreed; and the Lord Chancellor in Court declared the last day of the term that his Majesty had ordered the writs for summons of a Parliament free in all its circumstances (the words in the Bishops' Petition). I am wearie of mentioning the perticular persons that goe ouer to the Prince of Orange.

The King hath by Proclamation declared his order for writs of summons for a Parliament, to meet the 15th of January next; and, to the end it may be free, he forbid any threats or undue means to be vsed to electors, and grants pardon to all Peers and others that may haue taken arms, or committed any acts of hostilitie, &c.

A Parliament summoned, to meet 15th January.

A pardon generall.

The Lords conuened spake their minds freely; none more

The Lords speake plainly to the King.

home and plain then the Archbishop and the Earl of Clarendon; which last the day after went to the Prince, as also the Earl of Oxford.

The nobility, gentry, &c. in many counties associat, and declare the causes.

In very many counties the nobilitie and gentrie rise and associat. Some say it is for defence of themselues against the Papists, who are armed and imbodied; others declare for defence of the Protestant religion, the laws and liberties which haue been inuaded, and are yet in dainger of beinge vtterly subuerted by Preists and Papists, and these their declarations are published. How these risings and associations can be justified I see not; but yet it is very apparent, had not the Prince come, and these persons thus appeared, our religion had been rooted out. What issue this will haue we must expect awhile, as also whether writs shall issue for the Parliament. The King had sent his sonn to Portsmouth, in order to be transported, but pretended to be free from tumults; but Dartmouth would not conveie him, so he is brought back againe to London the 8th, and the next night, beinge Sunday night, the 9th day, the Queen and he went away, and are ariued safe in France, as it is sayd, whither the King intended to goe to her; and, accordingly, the next night, the xth, he went priuately from Whitehall, and his Majesty and Sir Edward Hales, with only one of the King's seruants, I thinck called Labadie, haueinge gotten aboard a small vessel, a storme rose, and they were forct to come to shore near Feversham, to gett ballaste, where many people on shore, seeing the vessell make towards shore, presently apprehending they were some that fled, and were forct by the storme back, seised on them and rifled them, takeing 400 guineas from the King, whom they knew not; but Sir Edward Hales they knew, and hooting and laughinge, carried them all to an inn, where the master of the house, at sight of the King, fell on his knees. The King, seeinge he was knowne, desired him to keep him from the rable, and some that had taken his monie brought it again; but the King would not take it, but caused the Earl of Winchelsea to be sent for, who came immediately, and many

The Queen and Prince goe from White Hall, and the King also in the night followinge.

The King stopt;

gentlemen, so soon as it was known that his Majesty was there. News comeing to town, the Lords which were in town consulting what was to be done, they gaue leaue to such of his Protestant seruants as would goe to him, and sent the Earl of Feversham, with three troops of horse, his guards, to attend his Majesty whither he pleased, either to London or elsewhere, and sent his coaches also. They likewise sent an express to the Prince of Orange, acquainting him what they had done, hopeing he would approue thereof, and to know his farther pleasure. He, it seemes, liked thereof, and ordered all the King's forces should remoue tenn miles from London, he intending with his to come thither. On Sunday the 16th his Majesty came to Whitehall, and ordered his guards to quarter in the country at the desired distance.

and returns to White Hall.

The Lord Chancellor Jefferies absented himselfe the day the King went, and gott into a disguise, feining himselfe a seaman; and in that habit was taken at Wapping, on Wednesday the 12th of December, and was brought before the Lord Mayor of London, who was at dinner when the Chancellor was brought, a multitude following him, triumphing and hussainge. The Lord Mayor, either out of feare and amasement to find the great Lord Chancellor in that habit and in that condicion, or else out of some indisposition, fell into a swouning fit, and by a convulsion which distorted his face and mouth very much; but yet he committed the prisoner to the Tower.

The Lord Chancellor Jefferies absents himself, and is taken in disguise.

Some of the Judges are gone aside. Herbert hath printed his argument and authorities for his judgment and the rest in Sir Edward Hales' case, and the King's dispensing power, which he ordered to be printed before he went.

Seuerall Judges absent themselues.

The *mobile* that day the King went grew very vnrulie, and in great multitudes assembled, and pulled down that night and the following day many houses where mass was sayd and preists lodged, and went also to Wild house, the Spanish Ambassador's, and whether seuerall Papists had sent their monie and plate,

The mobile are very vnrulie, and doe great mischiefe to Papists, &c.

supposeing that was a sanctuarie (as, indeed, it ought to be), but the rable demolished that chappell, tooke away the plate and monie, and burnt pictures, rich beds, and furniture to great value, the poore Ambassador makeing his escape at a back doore. The Lords caused some of these fellows to be apprehended, and some of the plate and monie is discouerd. Some of the offenders were common theeues, and those set the boys to work first: these, as many as cann be found, are committed to prison, and the Lords set out an order for the trained bands, the guards and soulgers, to disperse these vnrulie people, and, if any resistance were made, to shoot and kill them; and this made some quietnes, togeather with the King's returne.

The Lords order the apprehending some of them.

The King beinge come to White Hall, and the people huzzainge as he came, put hopes into his Majestie that the anger was not at his person, but at his religion, and that the desertion of his army and people was on that account; and yet he had mass that night at 12 of clock (which the Canons allow only to a Kinge). The Papists flock to him again, five Papists to one Protestant. He called a Councill next day, and proposed the sending a warrant for releasing from imprisonment the Earles of Salsburie and Peterburrow, Sir Edward Hales, and others; but his Councill, perticularly the Lord Godolphin, and, they say, Titus, were of opinion by no meanes to doe it. The Papists were as bold and confident as euer. The citie, vpon the first goeing away of the King after his returne, had sent to inuite the Prince to London, and the King after his returne had sent to inuite the Prince to St. James's, and had ordered that house to be prepared. The Prince was on his way to London, either at Windsor or Sion House, and, vnderstanding the course the King tooke, he was aduised he could not bee safe at St. James's so longe as his Majesty was at White Hall; wherefore he sent the Marquess Hallefax, the Earl of Shrewsberie, and the Lord Delamere, [to desire] that he would remoue out of town before twelue of clock next morning, either to Ham, the house of the Duches of

The King comes to White Hall, and the Papists flock to him. He calls a Councill, and proposed the dischargінge some imprisoned, but is disswaded by the Councill.

The citie inuite the Prince to London.

The Prince sent a message by the Lord Halifax, Earl of Shrewsbury, and Lord Delamere,

Lotherdale, in Surrie, or to some other place. The King was in bed and asleepe. The Lords caused him to be awakened, and about one of clock deliuerd their errand, and the same tyme the Prince his men tooke possession of the guards and posts about White Hall, and all the auenues. The King, likeing Rochester better than Ham, sent to the Prince his mind, and went with a guard of Dutch to Rochester, from whence he sent for and had three blanck passes, and in the night went away again priuately, leaueing in the chamber at Sir Richard Head's, where he lay, a paper to the effect following, viz.

hastning the King out of town.

The King goes, guarded by the Prince his men, to Rochester, from whence he sent for three passes, and had them, with blancks for names, which receaued, he went away priuately in the night, and left this paper, viz.

"The world cannot wonder at my withdrawing myselfe now this second tyme. I might haue expected somewhat better vsage after what I writ to the Prince of Orange by my Lord Feversham, and the instructions I gaue him; but, instead of an answer such as I might haue hoped for, what was I to expect after the vsage I receaued by the sayd Earle, a prisoner, against the practice and law of nations? The sending his own guards at eleuen at night, to take possession of the posts at White Hall, without aduertising me in the least manner of it; the sending to me at one of clock after midnight, when I was in bed, a kind of an order by three Lords, to be gone out of mine own palace before twelue that morning. After all this, how could I hope to be safe so longe as I was in the power of one who had not only done this to me, and inuaded my kingdomes, without any just occasion giuen him for it, but that did, by his first Declaration, lay the greatest aspersion vpon me that malice could inuent, in that clause of it which concernes my sonn? I appeale to all that know me, nay, euen to himselfe, that in their consciences neither he nor they can beleiue me in the least capable of so vnnatural a villanie, nor of so litle common sence, to be imposed vpon in a thinge of such a nature as that. What had I, then, to expect from one who by all arts hath taken such paines to make me appeare as black as hell to my people, as well as to all the world besides? What effect that

hath had at home all mankind hath seene, by so general a defection in my army, as well as in the nation, amongst all sorts of people. I was borne free, and desire to continue so; and, tho' I haue ventured my life very franckly, on seueral occasions, for the good and honor of my countrie, and am free to doe it again (and which I hope I shall yet do, as old as I am, to redeem it from the slauery it is like to fall vnder), yet I thinck it not conuenient to expose my-selfe to bee secured, as not to be at liberty to effect it, and for that reason do withdraw, but so as to be within call whensoeuer the nation's eyes shalbe opened, so as to see how they haue been abused and imposed upon by the specious pretences of liberty and property. I hope it will please God to touch theire harts, out of His infinite mercie, and to make them sensible of the ill condicion they are in, and bringe them to such a temper that a legal Parliament may be called; and that, amonst other things which may be necessary to be done, they will agree to liberty of conscience for all Protestant Dissenters, and that those of my own perswasion may be so far considered, and haue such a share of it, as they may liue peaceably and quietly, as English men and Christians ought to do, and not to be obleiged to transplant themselues, which would be very greuious, especially to such as loue their own country; and I appeal to all men who are considering men, and haue had experience, whether any thinge can make this nation so great and flourishinge as liberty of conscience. Some of our neighbours dread it. I could add much more to confirme all I haue sayd, but now is not the proper tyme.

"Rochester, December 22, 1688."

He went in the night priuately out of a back doore, vnknown to any of the family.

So soone as it was known that the King was gone, the Lords Spirituall and Temporall assembled at Guild Hall, London, and required the Lord Mayer to take care of the citie; and then and there also sent to the Prince of Orange, and inuited him to come

to London; so also did the Lord Mayor, Aldermen, and Common Councill. The paper left by the King tells what made him goe away, and the Prince's message was demonstrative what he desired. The Prince came to St. James. And tho' King James his raigne was short, not full four yeares; yet was his designe very apparent,—the Roman religion he resolued to establish, maugre all the laws, and what auersenes soeuer in the nobility, gentry, and the common people also. He closeted particuler men, and tryed them by promises and threats. He garbled the corporations, and sent emissaries amongst them to influence them for choice of members for Parliament, such as would take away the penal laws and test; gaue indulgences, and dispenced by his owne authority with all the laws: but this furious hasty driuing ruin'd him, and all his.

The Prince of Orange called the Lords about the town one day, and after such of the commoners as had serued in any of the Parliaments of King Charles II.; also the Mayor and Aldermen, and 50 of the Common Council.

The King beinge gone, the Prince called the Lords first, and afterwards such gentlemen as were about the town, and had serued in any of the Parliaments of King Charles II., and also the Lord Mayor, Aldermen, and 50 of the Common Council of London, from all which he desired aduice what was to be done for the effecting the ends of his Declaration. The Lords had the start two dayes, and gaue their aduice. Both the others met, and desired his Highnes to take on him the administration of affaires military and ciuil, and to dispose of the reuenew to the best aduantage for the publick. The Prince had desired the Lord Mayor and the old Members of Parliament to consult either seuerally or jointly all togeather. The Aldermen (for the Lord Mayor was sick) thought best to consult jointly, and accordingly went into the Commons' House of Parliament, whether also the gentlemen went, and I amongst others (at the desire of Sir John Nicholas, from whom I had notice of the meetinge that morninge). For order sake one was to be called to take the Chaire, and Mr. Powell was called, and tooke the Clerk's chaire, (as the Marquis of Hallifax had been by the Lords.) When he was sate, a paper,

which conteined what the Prince had sayd, and which was deliuered to the senior alderman, Sir Thomas Allein, was deliuered by him to Mr. Powell, which was by him read. And it beinge informed that the Lords had given their advice to the Prince in writinge, inquirie was made if any body there had a copie of it. Mr. Gwin, who had been clerk to the Lords at the meeting, being asked if he had one, he sayd, No; but he see a gentleman there that had. Which beinge produced, and he required to consider whether it were a true copie, he pervsed it, and sayd he beleiued it was a true copie. Soe it was read twice or thrice, and some things it was sayd might deserue amendment; but vnanimity and expedition were so necessarie, that it was agreed to vpon the question without a negatiue. But first some did harangue, and others proposed the signinge to the Association, meaning an association entred into by seuerall noblemen and gentlemen in the West which came in to the Prince; but some (not opposinge) saying that ought to be voluntarie, and others not knowinge well the effect, and others again that it was not now so seasonable as then, and one sayinge he had the writing there, he was desired to lay it vpon the board, that those might reade and signe it that pleased. The companie, hauinge appointed a committee to preface before the aduice, intended to meet again in the euening. But I came away to Sir John Nicholas, and I beleiue a hundred others. The aduice of all was that his Highness should send letters to each peere, and to euery countie, city, and burrough, directed to the coroners in the counties (for some counties had not changed Sherrifs, and the old were Papists), and to the cheife magistrate in each other city or burrough, to cause two knights, &c., to be chosen; and the names of the elected to be certified by the officer; and the certificate anexed to the letter to be returned to the clerk [of] the Crowne in Chancery, the tyme of meeting to be 22d January; and that notice of the election was to be giuen in market towns for the counties five days before the election;

The Lords giue their aduice.

The Company agree.

The Association tendered.

The effect of the advice.

and in cities and burroughs three dayes: they were desirous to come as neere to elections for Parliament as they could. It is to be remembred, that the King had caused proclamation and writs to be sealed for a Parliament 15th January; but before he went he took the seale and those writs which were not issued from the Chancellor, and burnt the writs and carried the seale with him.

Choice made pursuant, and the election at Maldon how.

Choice was made pursuant to the letters. The baylifs of Maldon had against New Year's Day sent me their ordinary present of oysters and wild fowles, and in their letter writ they intended me for one of their representatiues, and would in order thereto giue me notice of the day when the letter was come, in hopes I would appear at the election. I gaue them thancks for their present and inuitation; but sayd, I was old, at a great distance, and the weather very sharp, so that I feared I should not be able to come to them. But I did not say I would accept or serue if chosen, resoluing in my-selfe to be passiue in that affaire. At the day of election my son came thither; fower of my nephews came thither the night before. The out-dwellinge gentlemen and clergie, freemen, came thither; but compleined they had no notice from me nor my son; and because there had been letters writ in behalfe of one Mr. Mountague, whoe also had been in the towne carressing the freemen, and so had gotten some interest, Mildmay also all he could canuassing for him, they resolued to giue single votes; but others beinge ingaged for Sir Thomas Darcy, who had been joyned formerly with me, Mr. Mildmay's men also helping them, they were chosen, to my great satisfaction, really and in truth. But this gaue me occasion to send the Dep. of Lieutenancie (which I had accepted) to the Earle of Oxford, who had written to the town for Mr. Mountague, alledging for the reason, that, I haueing taken it at his great importunity, pressing me to do it for his honor, I told him I could not keep it with his honor, or my owne reputation.

15th January, '89, Sir Robert Wright, Lord Chief Justice of the King's Bench, haueinge hid himselfe, was discovered by Sir William Waller, and committed to Newgate, where he died not longe after.

The 22d January the Lords and the Elected met.

The elected met at the day, and chose Mr. Powell for their Speaker; and the Lords placed the Marquess Hallifax in the chaire for their house. The aduice agreed vnto by both houses was, that the Prince would take vpon him the gouernment, &c. It is printed, and therefore needless for me to transcribe. The Committee made an address (by way of preface to the aduice) vpon the heads followinge:—First, to giue his Royal Highness their humble thancks for his comeing ouer. Second, to pray him to take vpon him the administration of the gouernment vntill the 22d of January next. Third, to take the state of Ireland into his immediate care and consideration. Fourth, to take into his hands the public revenew, for the support of the gouernment, army, navy, &c. Fifth, forthwith to issue out his letters to all the coroners of counties and cheife magistrates in cities and burroughs to cause elections to be made, as to a Parliament, the 22d of January next, at Westminster, which was done. And in Essex, Sir Thomas Fanshaw and Mr. William Maynard (on whom the gentlemen at the countie court on which an election should have been made, had agreed for knights,) not appearinge at the day the choice should haue been by the appointment of the coroner, and declininge the seruice, the choice fell vpon Henry Mildmay, of Graces, and John Wroth esquire; but Honiwood then stood with Mildmay, and if great art had not been vsed, and also great diligence, Mr. Wroth had missed it.

Henry Powle Speaker, and is made Master of the Rolls by patent, *quamdiu se*, &c.

But at the day the elected conuened and made Mr. Powell Speaker; happily enough for him, for he obteined as a reward for his seruice the Mastership of the Rolls (Sir John Trevor, who had been in that place from the death of Sir John Churchill, and was likewise Speaker in King James his Parliament, and is

now again in this second of King William, and also first Commissioner for the Great Seale, vpon the remouall of Sir John Maynard and Mr. Kerke, so well hath he played his game; but this should not haue been mentioned yet.) This Conuention, agreeing with the Lords, caused the Prince and Princess of Orange to be proclamed Kinge and Queen, who were also crowned; and they made the Conuention a Parliament, and passed seuerall acts as such, abrogated the old oath of allegiance and supremacie, and framed a new Oath of Allegiance, enjoyninge it to be taken by all members of both houses, and by all officers, by all the clergie. Which oath beinge refused by the Lord Fanshaw and Sir Henry Monson in the House of Comons, they were set aside, and new members chosen in their places. Some Lords refused also. Before this oath were agreed vnto, much debate had been in both houses about a word, "abdicated;" some sayinge that tearme was only proper where the action is voluntarie, but the departure of King James could not be sayd to be willingly and vncompelled, and would haue had the word altered, that he had left the kingdom, &c. But the word must stand, and votes passed accordingly, that he had abdicated the kingdome, and so the throne vacant; and then the proclaiming, &c. passed, as before is sayd.

Prince and Princess made King and Queen 13th February, 1689.

Oaths of Allegiance and supremacie abrogated, and a new Oath of Allegiance framed and enjoyned.

This Conuention, now a Parliament, gaue great sums of monie for payment of the Hollanders, which they had lent the King William, and for satisfyinge the charge of the Prince his expedition, and for reducinge Ireland; and Duke Schomberge, for that tytle was giuen him, was sent into Ireland with an armie, where he lay idle for want of horse, which were not come to him, and lost more men by such his delay then any batle could haue taken from him. Seuerall other titles were giuen; the Earl of Danby made Marques of Carmarthen, Lord Mordant Earl of Monmouth, Lord Churchil made Earle of Marlburrough, Bentinck made Earle of Portland, and seuerall others were promoted to honors. All the officers of the household were also made:

Schomberge made Duke; Earl of Danby made Marques.

the Earl of Devonshire made Steward of the Household, the Earl of Dorset, Lord Chamberlaine, the Lord Newport, Treasurer of the Household, (the same he held vnder King James,) Sir John Lowther, Vice Chamberlane, and Mr. Wharton, Comtrouller of the Household, in the place which the Lord Maynard once held vnder King Charles the Second and King James the Second, but was remoued by the last King, because, he being closeted, refused to consent to the takeing away the test and penall laws. But I make hast to come to things more concerning my-selfe, and of priuate concerne, this storie haueing been sett forth at large in print.

Elizabeth Bramston, my daughter, died 9th December, '89.

On the 9th of December this year, 1689, my youngest daughther, Elizabeth, died, at a lodgeinge her husband, Moundeford Bramston, had in Chancery-lane. She had been very ill with a distemper called St. Anthonies fier; her eyes, nose, face, and head, swelled vastly; at length it tooke her tongue and throat, and so on the said day she died, and was afterward, the 13th day of the same January, buried at Boreham in Essex. Her husband had purchased with her portion the lease of that parsonage of Mr. Thomas Rushee, son of my vnckle Rushee, brother to my father by the mother's side, which lease the Rushees held vnder the Chapter of St. Paules. He buried her there, intending to lye in that place himselfe when he dies. She was a very pious virtuous woeman, an obedient loueinge wife, and a very carefull tender mother of her children. She left three, John, Francis, and Thomas; she had buried one son and one daughter. Her marrying without my consent, nay, expresly against my command, was the only fault I cann charge her with towards me; a great sin it was, as she herselfe called it, and expressed great sorrow for, and often askt pardon of God for, of me also, which I fully forgaue her, but could not easily forgiue him, but I haue fully done it, and I hope God hath also fully wiped it so out that He will not lay it to their charge.

Dr. Thomas Palmer died 25th

On Christmas day this yeare died Thomas Palmer, doctor of

phisick, a younger son of Sir William Palmer by my sister. He was buried at Old Warden, in Bedfordsheire, where he died. December, soone after her.

Mary Quatremaine, grand-daughter to my sister Katharine, Lady Dyke, by Mary her daughter and Dr. Quatremaine, died the 25th day of January this same yeare; a younge woeman pious and virtuous, and was buried in a vault in St. Giles' churchyard, which vault was purchased by Robert Edwards gentleman, who had married one of the sisters of Sir Thomas Dyke, grandfather to this Mary. She was buried the 29th of the same month. 25th January the same year Mary Quatremaine died, 1689.

The death of this daughter was a great affliction to her mother, just when she was come to age, and was of great help and vse to her mother, who was very sickly. It strooke so deepely to her that she neuer went out of her house vntill April followinge, and then went to Houghton, and in a few days, viz. the 9th of April, died there. Her mother and brother, Sir Thomas Dyke, and her sister, Mrs. Elizabeth Dyke, hauing notice by Mr. Scowin, at whose house she was, that she was very sick, went thither, but she scarce knew them. She made her will after her daughter died, and made Mr. Scowin executor, passinge by all her relations, and without the priuitie either of her mother, who dwelt within few doores of her, or any other, saue Mr. Scowin, who sufferd the daughter to die without a will, tho' she had giuen him instructions and order to make one for her, whereby her sister Catharine, by her father, claimed, and had, one moiety of her portion. But Mr. Scowin got not much by his executorship besides his legacie or a debt of 100*l.*, for she haueinge been sickly all her life-time, and the doctor, her phisitian first, and after his wife's decease her husband, haueinge laid out what he gained by his practice on a peece of ground which he begged of King Charles the Second neere Portsmouth, which he drained* at a great charge, and dyinge in the flower of his age, he left his wife onely her owne portion, and two children, Her mother died in the same year 9th April, 1690.

* *This word may be* farmed.

one by his first, and another by this his second. The Kinge, Charles the Second, gaue her a small pension, the doctor hauinge serued him longe and faithfully, and with great hassard of his life. That pension was but 60*l.* per annum for the mother and two daughters. After the death of that King there was a stop for a while, but Sir Stephen Fox continuinge in fauour, and in the Treasurie, not only obteined the grant of a pension, but procured it to be dubled. King James beinge gone, and Sir Stephen and his son out of the employments they had enjoyed, she was at a loss; but my sister Dyke, her mother, and I, went to Sir Stephen to aduise what was to be done. He sayd a new grant must be, and he would trye to get my Lord of London to moue it; and, says he, I will vse your name, Sir John, which I gaue him leaue to doe, and he soone obteined the same pension; but Mary Quatremaine, the daughter, dyinge, and without a will, her fortune came to be diuided betweene the mother and the other daughter, who was married vnto one Stackhouse; and they differinge, Sir Stephen and my-selfe met, and sett all things right; and Sir Stephen beinge now again in the Treasurie, (one of the Commissioners,) he obteined the dead daughter's share for the mother, but she liued not to receaue any benefit, for she died before the first quarterly payment became due. She dyinge at Mr. Scowin's house at Houghton, and desiringe to be laid by her daughter, he thought it better to remoue the corps of her daughter thither then to bringe her to St. Giles, to which her mother and brother consentinge, it was accordingly done.

Serjeant Goodfellow died the 8th of May in the same yeare.

Christopher Goodfellow, the son of a citizen of London, bred at Mr. Farnaby's schoole, and thence remoued to Oxford, and from thence to the Inner Temple, where he studied hard, and became a good lawyer, and was reader there the Lent after my brother, and was called to be a Serjeant at the same call my brother was. He married first a daughter of Serjeant Phesant, who dyinge, and leauinge no child, he married Dorothy Palmer,

one of the daughters of Sir William Palmer, by Dorothy his wife, my sister. He had been longe one of the Citie Councill, and at last he was one of the Judges of the Sherrifs Court, and putt his son John into his Pleader's place, and so they continued vnto his death, which was on the eighth day of May, 1690, at his house in Basinghaw-street. He left many children by my neece; John, Christopher, William, Walter, Charles, Mathew, and Edward, sonns; Dorothy, ... , and Bridget. All [the] sonns and daughters vnmarried, but his eldest sonn, John, in good practice, and well esteemed by all, for his knowledge in the law, and certeinly is a very hopefull risinge man in his profession. His second son, Christopher, is a Fellow of Queenes Colledge in Cambridge. William was bound apprentice to Mr. Batteleer, and is now gone into Turkey; and Walter, beinge bred vp at Eton, is now in King's College in Cambridge, and a very good scholler.* Charles is also an apprentice to a Hamburgh merchant, an extreame hopefull youth. Mathew is with the same master his brother William serued, who pleased so well, that he desired another of them, and took less by 100*l.* with him then he might haue had with another, and he pleases very well. The youngest, Edward, is yet vndisposed of; but he is a steadie, sober youth, and is now learninge to write and cast accounts, that he may be fitt to goe when opportunitie serues.

He died 8th May, '90.

In this yeare, on the 17th day of Nouember, died my sister Dorothy (widow and relict of Sir William Palmer, her husband), at the house that Serjeant Goodfellow died at. She had compleated, if I guess right, her eightie and first yeare of her age. She was longe a wife, and had been eight yeares a widow, wanting so much as from November to March. She was a pious virtuous woeman, of a most obleiginge disposition, tender of her children. She spent her yeares of widowhood in summer with her daughter Atkins, at Bedwell, in Hertfordsheire, that beinge the house and seate of Thomas Atkins, who had married

Lady Palmer died 17th Nov. 1690.

* He was afterwards Rector of Ladbrooke, in Warwickshire, a living belonging to the Palmer family, and died in 1746

her daughter Bridget, and the winter in London with her daughter Goodfellow, the Serjeant paying her good respect. God had blessed her in many cures she had done in the countrie where she liued, Bedfordsheire, and indeed whereeuer she came the poore that needed flockt to her. She was very charitable to * her fortune, which was not such as she deserued from her husband, whom she had carefully nursed and attended as a servant in many sicknesses, but left her barely her jointure, only gaue her 100*l.*, which was very meane, but she, liueing as she did with her children, wanted not, tho' the great taxes would not let her abound. She had now been sick three or four months, and in great paines often ; either the stone wherewith she was some time afflicted, or a rhumatisme, she called it, but surely was the gout or scurvie. She would haue no phisitian, but caused what she tooke to be made at home, and by her directions. We were often in great hopes of her recoverie, and she thought so also, and was trubled where to setle when her daughter Goodfellow remoued, she beinge, as we thought, and judged truly, not able to goe to Bedwell. Her daughter Goodfellow, not well resolued where to setle, because, the town clerk being dead, her son John was in nomination for that office, to which belonged a very good house ; and, if the choice fell on him, the remouall would be easie, and that house would serue all their purposes. But the Lord Mayor Pilkington, meaninge to make monie of that office, tho' it were in the choice of the Common Councill, refused to call one, and so they were still in suspence, and that perplexed my poore sister ; but my sister Dyke, finding her thus trubled, sayd to her, if the worst come that my neece must leaue her house, bringe your bed and come to me ; you shall set it vp in my dining roome, and we will be togeather. This cheered her, and she resolued so to do; and she gatherd some strength, and could walke about the chamber, and great hopes there were of her recouerie. I had taken cold in one of the visits I made her, and increased it in another ;

* *i. e.* According to.

my head, eyes, face, and nose swelled exceedingly, and a scurfe broake out all ouer my face. I was confined to my chamber by Dr. Lower, and could not see her in three weekes before she died; but I sent, and she did so to me, and still it was sayd she mended, vntill Friday, the 14th of November, about 3 of clock in the morninge, and then she fell into convulsions, and her speech and sences taken from her, which yet returned; but she tooke litle notice of any bodie. My sister Dyke and my daughter Abigaile went to her, but they could not perceiue that she knew them or any bodie; andin that condition, for the most part, continued vntill Munday the 17th, and died that Munday.

I haue recorded the deaths of six neere relations, all which happened within the space of a yeare; another was but litle more then a yeare since, as neerely related as was Serjeant Goodfellow, and that was Reginald Williams, of Stoake, in Suffolk, who had married Sarah, fowerth daughter of my sister Dyke, a churlish and ill natured husband to her and to his children, especially his daughter by his first wife. I hope I haue done with matters of this nature my-selfe, beinge now the eldest of my name and blood too, yea, and relations also, except only Sir Andrew Jenour, husband of my daughter Mary; he, indeed, is elder some yeares, but withall is healthfull.

It appeares I haue for more then a yeare omitted the continuation of affaires, and, it may be, had not proceeded farther, but that the affliction of my daughter's death beinge in some measure allayed, now the death of my deare sister, after those others before mentioned, made me thinck fitt [to] set in order thus what I had marked elsewhere; and, beinge [able], I haue againe opened this booke, and haue began anew. I will also set downe some things of public concerne, in some of which I may seeme to haue a share with other people. And first, after proclaiming and crowninge the Prince and Princess King and Queene, and the old Oath of Allegiance abrogated, another was framed, and by the Conuention, now since the coronation called

a Parliament, as by an Act for remouing and preuenting all questions and disputes concerninge the assemblinge and sittinge of this present Parliament they haue made themselues a Parliament, that is, that the Lords Spiritual and Temporal and Commons conuened at Westminster the 22d day of January, 1688, and there sittinge the 13th day of February followinge, are the two houses of Parliament; on which sayd 13th day of February their sayd Majesties, at the request and by the aduice of the Lords and Commons did accept the crown and royall dignitie of King and Queen of England, France and Ireland, and the dominions and territories thereto belonginge. This Act takes away the old Oaths of Allegiance and Supremacy, and establishes new.*

The new Oaths of Allegiance and Supremacy.

The Coronation Oath.

By another Act they establish the Coronation Oath, to be administered by either of the Archbishops, or any other Bishop whom the King shall appoint.

All persons formerly enjoyned to take the Oath of Allegiance and Supremacy shall take these.

By the Act that takes away the former Oaths of Allegiance and Supremacy, and establishes the new before recited, all persons that were to take the former oathes by any statutes, either of Queen Elizabeth, King James, or any other the Kings, are required, by a day certein, to take these: to which Act or Acts I refer my reader, the same beinge printed at large, as also for the penalties of the refusers or neglecters.

Some Bishops and others, both clerk and laymen, doe refuse the new oathes.

These oathes were taken readily by many Bishops, and many of the City diuines, and, by their example, by most diuines in all counties. But the Archbishop of Canterburie, the Bishop of Bath and Wells, the Bishop of Elie, the Bishop of Chichester, the Bishop of Glocester, the Bishop of Peterburgh, and some of the London diuines, in all counties some, likewise seuerall of the lay nobility and gentry, haue refused to take them, and haue rather sufferd their bishopricks to be sequestred, and theire parsonages to be lost, and left all employments. I, for my part, had refused all employments before; and haue-

* The Oaths, which follow in the MS., are omitted.

ing remoued out of the countrie, I suppose I am left out of all commissions. But the refusall of some and taking by others caused much discourse. Of all the members returned to that Conuention which first framed and enjoyned this oath, I knew of none that refused but the Lord Fanshaw and Sir Henry Munson, in whose places new members were elected, but they sufferd no other inconuenience.

The Lord Fanshaw and Sir Henry Munson refuse the oath, and are therefore put out of the House of Commons, and new members elected.

I did thinck, as the circumstances of the Gouernement then were, by the King James leauing the kingdom as he did without any commission or care taken for preseruation of his subjects, priuate men, if required vpon penalties, might safely swere to the oath of allegiance prescribed, notwithstanding King James was liuinge, to whom I had sworne allegiance. And my reasons were, by the King absentinge himselfe and leauing the kingdom without any gouernor or commissioner, it was impossible for vs to pay allegiance to him according to our oath, which oath therefore is become as to vs abrogated, or at least during his absence is in abeiance, as lawyers call it, and suspended. Marrie, if he returne, I do think our allegiance will also returne to him. We that are priuate persons cannot judge whether his absence be voluntary or forced, whether feare or what secret cause he had to goe wee cannot judge. By his absence it became necessarie that Gouernement should be by some bodie, to auoid confusion. There can be no Gouernement without submission to it, that can, whether by one or more, haue no assurance of submission but by a religious tye and obligation; the constant practice in all states is by oath to obleige obedience. When the Gouernement is fixed, obedience becomes necessarie to it, and conscience obleiges priuat persons to yeild obedience, as well as prudence and safety to preuent anarchy, and the rable from spoilinge and robbinge the noble and wealthy. These assertions and reasons seem to me to arise out of pure necessity.

Reasons why a priuate person may be obleiged to take the oaths if tendered with a penalty.

I know it wilbe obiected that King James was forced away; that some Lords Spiritual and Temporall, and some Gentlemen

Objection, the King being

driuen away by force and terror.

had inuited the Prince of Orange into the kingdom, that he accordingly came with an army, and that the King's army refused to fight, nay, that some were gone ouer to the Prince, so that the King must either flie, or be contented to be a prisoner. I cann only say, as to those that inuited the Prince in, they must answer for themselues; but I hold it was in them perfect rebellion. As to the Prince, I thinck much more may be sayd for him then for them, tho' they alledge relligion, property, and liberty were in a daingerous condition, as in truth they were; for, whoeuer considers well the short raigne of King James, he will see what hauock he was makeing in the Church and Vniuersities, the nursaries of our relligion, what hast he made to setle Poperie, and the meanes and ways he tooke to make his power and rule absolute, and the laws dispensible at his will and pleasure, must thinck all these were in dainger; but all were established by laws, and could not be destroyed but by the same power that made them, that is, by a law, and who they are that made our laws, must conclude, as I did, that tho' many perticular persons might be destroyed by his power, yet the nation could not, people would not be so mad as to send to Parliament such representatiues as would cut theire owne throats; wherefore I must leaue those that called in the Prince inexcusable. But as for him, if the case bee stated (as I thinck it ought) that he beinge a free Prince, and haueinge a just right in succession in his Princess, and after her and her sister, and her issue, in himselfe also, and that the Kinge, out of fondness for Poperie, and enmity to the established relligion, and for that cause to his daughters and their issue, and to the Prince also, did giue way to a Jesuitical contriuance, to impose vpon the nation a suppositious son, as borne of the bodie of the Queene, and thereby to disinherit the aboue-mentioned Prince and Princesses; this, I say, beinge his beleife and opinion, and there beinge no way for one Prince to sue another, nor way to determine their controuersies, but the sword, I dare not condemne the Prince

My private opinion as to that objection.

The Prince of Orange may be excused, and why.

absolutely for makeing war on that occasion, tho' against an vnkle and father. Be that as it will, these oathes caused much debate, and seuerall tracts haue been written, some condemninge, some justifyinge, the Bishops and Clergie the non-swearers.

Dr. Sherlock and his booke.

Amongst the clergie that refused the oaths was Dr. Sherlock, Master of the Temple, who had printed a tract in mainteinance of the doctrine generally taught in our Church of non-resistance on any pretence whatsoeuer, and now, after almost two yeares time, he hath taken the oaths, and is instated in the mastership, and liuinge in London, as formerly he was. Note.—He neuer quitted his lecture at St. Dunstan's in the afternoone; but, beinge satisfied by lawyers that the words in the Act did not reach lectures, he preacht and prayed there for theire Majesties; and certeinly, if he could pray for them, he might sweare allegiance to them, as he did, and raised a swarme of bees or wasps about his eares, who prouoked him to write on what grounds he did now sweare, which booke many haue endeauoured to giue answers to. I haue seene two, both which, I thinck, haue failed. I confess the exposition he makes on St. Paul's words, "Let euery soule be subject to the higher powers; for the powers that be are from God;" that is, says he, now powers, without distinction of lawfull or vsurped. He had formerly, with all our Churchmen generally, expounded St. Paul's words of lawfull powers only, and so I haue euer been taught, in the Longe Rump, Oliuer Cromwell's, and all other those changes of Gouernement, who certeinly were all rebells; but how to find St. Paul's meaninge, fully and without controuersy, since this Doctor hath started it, I know not. He relies much of a booke set out by this Archbishop of Canterbury lately, to another purpose certeinly. He calls it Bishop Overill's Convocation Booke, which, he says, setled him, and induced him to take the oaths; that Convocation, held in the first yeare of King James I., and continuing to the xth of that Kinge, enjoyninge obedience to all setled Gouernments; and the Doctor thincks

Dr. Overill's Convocation Book set out lately by the Archbishop of Canterburie.

this King William now setled. Some say these were not Cannons, nor are printed nor reckoned as such, but only debates and discourses in the Convocation House, justifyinge the Hollanders in their obedience to the States, with whom King James was in league, or makeinge alliance with them. At my transcribinge out of loose papers what I had set down as thoughts at the instant these things were agitated, I haue been drawn besides my notes, and haue vnaware mixed what has newly happened, but, I hope, pardonably, my designe being only for priuate eyes and eares, some of my own family and descendants. I haue not taken these oaths, nor shall I, vnless compelled; but I will not put that compulsion vpon my-selfe by takeing any employment. Thus I discoursed with some of my neere relations, and this was my opinion from the very first moment the Prince tooke the Crowne.

It is euident now, and hath longe been so in my thoughts, that the whole confederate Princes made it theire busines to disjoyne England from France, which could not be effected whilst Charles II. or James II. were on the throne, vnless James could be brought to it by force, and the Prince had a good colour to vse force to preuent his wife's disinherison and his owne; and some noblemen, and also some commoners, haueinge left the kingdom for feare of beinge oppressed, and fled into Holland, the Prince easily had their consent, and he and they, with great industrie and secrecy, did worke others of all sorts oppressed here to joine in an association. My opinion of that association I haue already sayd; but the world, euen the Papists, and some Jesuits (one, I heard), would say the association or confederacy was the wisest consert that had been made these hundred of years.

1690. It hitherto seemes that the French King is a match for the Emperor and his allies, the Duke of Bavaria, Duke of Brandenburgh, the Vnited Prouinces, Spaine and England, and the other Princes of Germanie, they in these two years hauing only retaken Ments and Bon, which he had taken before. These the

first yeare, and no action this last yeare, saue only between the forces of the Dutch, commanded by Prince Waldeck, and the Duke of Luxemburgh, wherein the Dutch had the worst, tho' with great loss on the French side. England could giue but litle assistance, by reason King James had a numerous army in Ireland, and stronge garisons, assisted by the French Kinge with men and ships, and all other necessaries. Tho' the Duke of Schomberge had been in Ireland all last winter, and tho' the King William went in person, yet, besides gaining the pass ouer the Boine (a desperat seruice, they say, and where King William receaued a wound on the top of the shoulder), litle hath been done, besides a world of men dead of the sickness of the countrie, the flux, and some killed before Limrick, which the King William beseiged, but left it open on the riuer, and that side to Connaught; and when the raines fell, the King was forced to raise that seige, and came himself for England, to meete the Parliament; and is now goinge in person to the Hague to meete the Confederates, for adjusting matters against the next springe, and all but necessarie.

In the beginning of the month of December this yeare, 1690, among the Votes of the House of Commons printed, I found an ingrossed Bill sent downe from the Lords for the transferringe the estate of Mr. Henry Searle vnto the Lord Shandois and Mr. Vincent, trustees for an infant, his heire, then out of England, for the payment of Mr. Searle, by selling the lands. This brought me abroad (haueing kept my chamber and house fiue weekes), and made me petition the House, tho' I thought neuer to haue had to do with that bodie of men again; but he must needes go whome the Divil driues. I was in this Bill concerned thus. There is a feild by Lincoln's Inn called Ficket Feild, or, by most and vulgarly, Little Lincoln's Inn Feild. Sir John Birkinhead,—the same person that in the war against King Charles I. writ the Mercurius Aulicus, and after the returne of King Charles II. was Master of Requests to his Majesty; a

Sir John Birkinhead.

man wittie and well learned; he was also Master of the Faculties at the returne of King Charles II.; but he had some qualities not commendable;—he had purchased in fee some parts of a feild called Ficket Feild, and other parts he had a longe lease of. He beinge indebted, and haueing some kindred of his name, he diuises by his will the said feild to Randolph Birkenhead and Rupert Birkinhead, and their heires, to the intent they should pay his debts and legacies; and, if they did not pay his debts and legacies within six months after his decease, or refuse to execute the trust, then he devised his lands to Sir Richard Mason and Francis Bramston, Sergeant at Law, his executors, and their heires. Within the time the Birkinheads and the executors sell all the estate to Mr. Henry Searle, subject to Sir John's debts. He pays the debts and legacies. My brother dieinge, Sir Richard Mason came to me, and clamed the writings that concerned my brother and himselfe in common, as belongeinge to him by survivorship. Mr. Searle came with him. I had remoued out of the chamber in Sergeant's Inn such things as belonged to my brother (he makeing me his executor) vnto my house at Screenes, and so I told Sir Richard Mason; but I would bringe them vp next time I came with me, which I did, and deliuerd all I had, but only bonds from Mr. Searle and the Birkinheads to my brother (the like had Sir Richard Mason from them). I tooke a note vnder his hand what writings they were that he had of me. Sir Richard Mason died not longe after my brother, I thinck, and made his lady and daughters executrices of his will. After his death came to me one Eglisfeild, and clamed a debt from Sir John Birkinhead of 100*l.* by bond to one Mr. Williams, who was also dead, and shewed me the bond, wherein Sir John was suerty for one Horsey (I thinck he was called), of an antient date, which gaue me occasion to ask why he had not clamed the debt in my brother and Sir Richard's lifetimes. He sayd he did, and shewed me a note, written and subscribed by my

brother and Sir Richard, vnto Mr. Searle, to pay the debt. Vpon this I went to Mr. Searle, and acquainted him with this demand, and also of the note I mentioned. He sayd he had seene it, but my brother and Sir Richard had after forbiden him to pay it, as not beleiuing it to be a good debt. I askt how that did appeare: the contrary is vnder both their hands. He sayd it could neuer be proued to be a debt, nor any monie lent on it, and that he would defend the suite; and that if I were trubled I should only giue him notice, I should be at no charge nor truble, his clerk should appeare for me. A Bill was preferred in Chancery at the suite and in the name of Elizabeth Williams, the daughter and executrix of the obligee, against Mr. Searle, the Lady Mason, and myselfe, and when I was serued with a subpœna I tooke my nephew, Thomas Bramston, a Clerke in Chancery, and we went to Mr. Searle. When I told him his clerke had not appeared, and so I was threatened with process of contempt, he replied he had ordered his clerke to appeare. "But," says he, "Mr. Bramston, pray appeare for Sir John, and prepare his answer. He shall be at no charge nor truble, only to goe before a Master, and heare his answer;" which was done, and soone after Mr. Searle died intestate, much in debt, and his lands all mortgaged. We expected to heare some body would administer; but, instead of an administration, a Bill passed the Lords, and is sent to the Commons, as I haue before mentioned; where-vpon I was forced to petition that the lands might remaine still lyable to Sir John Birkinhead's debts, which was referred, with the Bill, at the 2d reading (for I heard not of it before it was once read), to the Committee. At the Committee I appeared by my Councill, and tendred a prouiso for the not dischargeing by this Bill the land from payment of Sir John Birkinhead's debts, wherewith it was charged by Sir John's will, which the Committee very vnjustly, and so I told them, but because, as they sayd, the lands were to bee sold, and such a generall clause would dis-

courage purchasers, they therefore refused the generall prouiso; but Mr. Vincent sayd he would consent to a perticular prouiso for the debt clamed by Mrs. Williams, beinge a bond of 100*l.* for payment of 50*l.* a great manie years since, as I haue before sayd; and he added that Sergeant Pemberton was one of the mortgagees, and if I would meete there what was reasonably proposed should be agreed vnto. But, by the way, I should haue sayd, the morninge after the Committee had rejected the prouiso as too generall, and I had sayd, "Be the debts neuer so manie, if just and due, they ought to be payd before Mr. Searle's," talking with Mr. Vincent in the lobbie, Sir Christopher Musgrave, who had presented the petition to the House, comeing by, I stopt him, and told him the prouiso was rejected. Says he, "The prouiso is just, and some such thinge you must doe, or you will indainger your Bill." So sayd Mr. Dolben, a Member of the House, a Lawyer in good esteeme, which made Mr. Vincent inuite me to Sergeant Pemberton's chamber, where a prouiso for leauing Mrs. Williams in the same plight her debt was in before this Act was dictated by Sergeant Pemberton, and because I knew of no other debt then that only, none haueing been claimed or demanded of me since my brother's death (now eight yeares), I stood no more on a generall saueinge. But Eaglesfeild, to whom I beleiue the debt is assigned by Williams, nor Mrs. Williams, either for want of monie, or thinckinge this prouiso would doe litle good, they neuer stirred farther to get it pass; but I found their Atturney had a good mind to put the charge vpon me, and, pretending Eglesfeild was gone out of towne, either for monie, or for some buisines, he sent the prouiso to me; but I returned it, and my answer, that I would not be at any more charge nor truble, and so, I beleiue, the Bill will be returned back to the Lords without any prouiso yet, vnless it were carried back on Saturday the 13th instant, and I am writinge this now the 15th December, '90. As to my-selfe, I haue bonds from Mr. Searle sufficient to indempnifie me if the

suite in Chancery pass against vs: the difference only is, if the prouiso had passed I should not be postponed to the mortgages, as possibly I may now be.

Vpon the 8th of this December, in the night, the tyde was very outragious, and brake ouer the bancks in many places, and drowned many head of catle in Essex, Kent, Suffolk, and Norfolk. I had some of my lands drowned, which lay three miles from the sea, at the neerest place. The 8th of December a very high and outragious tyde, 1690-1.

I mentioned the office of Town Clerk of London when I spake of my sister Palmer a litle before; to which office, after a longe tyme, John Goodfellow, the eldest sonn of Sergeant Goodfellow, was chosen, and is now in possession thereof, and the perquisites, only the house: there the widow of the deceased Mr. Wagstaff is yet, but is leauing it to him at Michaelmas, and thither he and his mother, &c. then goe.

The French early in the Springe came and beseiged and tooke Mons, before the Confederates could come to releiue it; but King William made hast, and gott a very great armie of the Confederate Princes togeather. The French General also, the Duke of Luxemburge, by takinge men out of their garisons, and joyning other forces, is likewise very numerous, and lies incamped safe, and will not be brought to fight. Lorge, another French General, dogges about, and declines fighting, which he hath been prouoked to by the Duke of Saxonie, who commands the Confederate army on the Rhine. The Duke of Bavaria hath sent forces, and is gone to the assistance of the Duke of Savoy into Peidmont, where M. Catinat lies with a great army likewise. At the passing the Shannon, at Aughrim, a fight hath been between the Irish and the forces vnder the command of Guinckle, where he had the victory, killed and tooke prisoners 5,000. In Hungary Prince Lewis of Baden, Generall for the Emperor, hath fought a bloody battell with the Grand Visier, and hath totally routed the army, killing 13,000 on the place, took all theire ordnance, ammunition, &c., but lost 4,000 men, amongst which This year, 1691.

many great officers. This fight was the 19th of August, S. N., and the victory falling on the Christians' side may facilitate much a peace between the Emperor and Turks, which was hindred before by the French, who assured the Turks he would giue the Emperor so much buisines in Germanie that he should not be able to appeare in any considerable body of men in Hungary this year, which haueinge so effectually disproued, its beleiued the Turks will trust him no more.

5 January, 1691. The Parliament adjourned to the 21st of March next. The
6th. day followinge the Kinge William began his journie towards the Hague. He went the first night to Sittingbourne, intendinge to take ship at Margaret's. The wind beinge contrary he came
9th. back, and dined the 9th at Kensington. The 16th he went from
16th. Kensington again for Holland, and set sayle next day, and landed with great difficulty for the ice.

The 17th Dr. Lower, that great phisician, died. His chamber chimnie beinge on fier he got out of his bed, called for water, and a sheete to clap [on] the chimnie, and stayed so longe about it that he caught cold, which put him into a feauour, and killed him in a few days.

The Lord Preston and Captain Ashton. The same day the Lord Preston was brought to tryall for high treason, and was found guilty at the Old Baylie. The 19th Captain Ashton was tryed for the same offence, and found guilty, and was executed soone after. Mr. Elliot, who was taken with them, and accused and indicted also, was not tryed. The tryall is at large printed. The matter was, they all haueing been seruants to Kinge James, intended to leaue England. They had conferred with others, and had letters from diuers persons, amongst others from Dr. Turnor, Bishop of Elie (but without his name). They hired a vessell to transport them; some reuealed this to the Earl of Danby (or now the Marques of Carmarthen). His son haueing some acquaintance with seamen, his father askt him if he [knew] of any that might be trusted with a secret, that had courage and fidelity to execute what should be

intrusted to him. He recommended one Captain Billop. This man dogged Preston and the rest, and followed them to the water side, where they tooke boat. He went aboard his own vessell, and so soone as they imbarked he followed, and came aboard their vessell, pretending to take some of the seamen. The three passengers got into the hold, and were discouered, and brought vpon the deck. Captain Ashton came vp without his hat, which goeing down for, he was seen to put something into his bosom. There was a packet with a small peece of lead, and which was intended to be thrown ouer-board, but was preuented. In this packet were letters, some in cyphers, others at large. There was also a project for the French King's landing, at least King James, with an armie. It conteined the number of the English ships, their burden, and gunns, with the names of the Commanders. There was also taken the Lord Preston's seale of armes, and the seale of Secretary of State, in which office he had serued Kinge James. The Lord Preston was repreiued, some intimation beinge giuen that he would make full discouery, and he did, but with promise that he should not be compelled to be a witness. He was afterwards pardoned; but afterwards beinge required to testifie what he had sett vnder his hand, either against the Bishop of Elie, who was fled, or against the Lord Dartmouth, a prisoner in the Tower, (his cousen german,) he refusinge, he was again committed to the prison, for misdeameanors; and prayinge his *habeas corpus*, was bayled at the King's Bench.

The Parliament met 21st March, and adjourned to the 28th April followinge, by order of the Queen and Councill; for she, in absence of King William, had the Gouernement. The Parliament adjourned to the 28th April.

On the 9th of Aprill a fier hapned in White Hall which burnt downe the fine lodgeings built for the Dutches of Portsmouth at the end of the longe gallery, and seuerall lodgeings, and that gallerie. Fier in Whitehall.

The 13th of April King William returned from Holland, but the 1st of May he went again to Harwich, in order to take ship

King William returned from Holland, and went back the 1st May.

for Holland, where he and the French Generall kept watch one on the other. He would haue prouoked the French to fight, but the other entrenched his army so that there was no comeing at him but with too much disaduantage, and so the campaigne ended, saue only at the rising of the confederate armie Luxemburge fell on the reare, and slew some men; but Overkerke returninge, the French made hast away. King William imbarked at the Maese the 18th of October, and landed at Margaret's * 20th, from whence he came that night to Kensington; by that way his coach ouerthrew, but no hurt. The King beinge come, the Parliament, which was adjourned to the 22nd of October, met, and adjourned to Munday following, after the King had spoke to them.

King William came to Margaret's 20th October.

The Parliament met 22nd.

Elinor, wife of Thomas Rands, died 11th October, 1691.

Elinor, the wife of Thomas Rands, (my cousen german by my mother,) died the 11th day of October. She was the daughter of a clergieman, Mr. Colson, in Lincolnsheire, but she turned Anabaptist; died in London, and he about six weekes after came to dine with me in Greeke-street, and rising from the table, and turning towards the fier, he swoned, and I thought veryly he would instantly haue died, but by rubbing his temples and nose with spirit of amber, and some hartshorne drops taken, he recouerd, and is well againe, but weake, beinge but two years and a halfe younger then my-selfe.

Sir Andrew Jenour died January 1st, at his house.

January the first Sir Andrew Jenour died at Bigots, his house, in Dunmow in Essex, in the eightie-eighth yeare of his age, newly begun. He was the son of Sir Kenelme Jenour, Baronet, descended from a Prothonotorie of the Common Pleas in the raigne of . Sir Andrew was bred at the vniuersity, and after at the Midle Temple, but likeing not that, he went into the Low Countries, and serued as a voluntiere vnder Collonel Morgan, who would willingly haue married him to his daughter, and offerd him command, but came home vpon his father's summons; and then went to sea with the Earle of Warwick, his

* Margate.

neighbour, and at last married with one Mrs. , with whome he had a good portion, and by her had manie children, sonns and daughters. His sonns all died before, two daughters only suruiued him, the eldest of which, Susan, was first wife to one Wade, a clergieman, and he dyinge, left her very well, and gaue her the inheritance of about 120*l.* per annum. She had no child by him, but after she married one Mr. Legat, and had one sonn and two daughters; she and they liueing at the death of Sir Andrew. His youngest daughter, Ann, maried Prujean, grandson of Sir Francis Prujean (the famous phisitian), by whom she had one sonn.

King William went for Holland.

The King William went the 4th of March this yeare, '91, from Kensington to Harwich; his Queen, Mary, went with him to Witham, and came back that night. He found the wind faire next morninge, took ship, and ariued safe.

In the same month died Mrs. Alice Mildmay (one of the daughters of my brother Sir Moundeford Bramston), at Burie St. Edmund's, and was buried at Woodham Water. She died 20th January.

January 21st Sir John Abdy died at Albins, his house, of an apoplexie.

1692 Ann Abdy died.

Ann Abdy, eldest daughter of Sir Thomas Abdy, by his second wife, died at Forrest Hall, the house of R Stanes, (whose eldest sonn had married her youngest sister,) in the parish of High Onger in Essex, on the day of Aprill, 1692, and was carried thence, and buried at Kelvedon Easterford on the 11th of the same month.

Lady Jenour came to me 3rd February, '92, with a very sore eye, and great pains in her bodie.

The third day of February this yeare my daughter the Lady Jenour came to London to my house, haueing left Bigots the day before, lodgeing that night at Chelmsford. She came with a very sore eye, vpon which a fungus, as the doctors call it, was growne very big on the ball of the eye. She had been vnder Dr. Turburvill's hands for the cure of her eye two years before at Salsburie, it being only then a rhume, with great paine in her

head. That yeare, after she came to towne, she had the aduice of Sir Ed. Kinge, who made her two issues on her shoulders, which tooke away the rhume. But not longe after there rose a litle blister in her eye, which she sending to Turburvill, he sent her water, which took that away. But then there arose another bigger; and her husband beinge sick and like to dye, she could not leaue him, and so for want of preuention it grew to this fungus; which Lady Ivie doubted might be cancerous; but Dr. Bridges, famous for an occulist, sayd it could not be cancerous, because euery cancer was painfull, and this was not. He compared the paine to the pricking with a hot needle, sharpe and burninge; but this beinge not so qualified, he sayd he could cure it, and did vndertake the cure. He gaue her waters; but that rather increased then diminished the fungus. Then he would haue tied a thread about it, and soe by degrees haue worne it away, but we would not suffer that, least a cancer or gangreene should follow. Then he thought to weare it off with powders, and perswaded her to put a corrosive powder, which he sayd would be no sharper then the waters, but it proued so painefull that we were forced to washe it with warme milk, and yet could not get it out, but it had wrought it-selfe into the fungus, and a great deale of fowle matter came out daily, and some of the powder with it, for a good while after. She had also extreame paines in her back, hips, and thies, and all along to her foot on that side the eye was. Wherefore wee sent for Sir Thomas Millington, who sayd the paines proceeded from the scurvie, and were not cancerous, nor of the same nature with that of the eye, he was sure; and so applied his medecines accordingly. He had her a month or more vnder his cure, and then he goinge into the country (for he had bought Gosfeild Hall, in Essex, of Mr. Grey), we were willinge to haue the opinion of Sir Charles Scarborow; who at first sayd litle, but aduised takinge the Northhall waters (as Sir Thomas Millington had Stretham), bleedinge in the arme, and the hummums, which are

bathing or swettinge. But when he came again he told me her case was desperate; he feared the paines in her bodie came from the same humor and springe with that in her eye; and forbid the hummums, because indeed she is so weake that she cannot beare that way; but he proceeds still by clisters to ease those paines. But I feare all wilbe vaine. God be mercifull to vs.

In June this yeare I also fell sick of an ague and intermittinge feauour, and made vse of Sir Thomas Millington, who gaue me the Jesuites powder, and after three or four doses my ague and feauor left me, but weake; and strength came slowlie, as it needs must to a man in old age, I beinge neere finishing my 81st yeare. I had also great paine with the sharpness of my vrine; for which Sir Thomas prescribed me a posset with marsh mallow rootes, and afterwards he appointed me to take gum arabeck searsed fine, with a like quantitie of white sugar candie, searsed also, two or three times a day; which I did, but had noe or but litle ease. When Sir Charles Scarborow came to my daughter I told him of it, and what I had done by Sir Thomas his direction. He bad me drinke morning and eueninge milke just warme as from the cow; which at first eased my paines, but I thought it made me make water with more difficultie then I vsed to doe. But he incouraged me to goe on in that course vntill I am quite eased of my paine; which I purpose to doe, with God's blessinge. I found my-selfe quite eased, and then gaue off that course. But my poore daughter continued ill, her paines shifting from place to place. Sir Thomas Millington comeing to towne, we had him and Sir Charles Scarborow togeather. Sir Charles was doubtfull, the other confident the paines were scorbuticall only; and so Sir Charles telling what he had done in the other's absence, they agreed to the same course, that is, Northall waters daylie and the clister in the afternoone. These wrought well, they sayd, but her paynes did not cease. In four or five days she grew very weake with so much purging; yet

In June this year I fell ill of an ague and feauour.

the doctors sayd it was not the purging but her disease that made her weake. After a while, Sir Charles Scarborow (that is on Friday), seeing her weaker still and weaker, sayd, We haue conquered the disease, but she hath not strength to take our medicines; and truly I give her ouer. I will come and see her as a freind, but no more as a phisitian; for it is not possible she should recouer. In the afternoone came the other, Sir Thomas Millington, who wondred at Sir Charles his opinion, sayinge he did not see cause for it; adding, he should see Sir Charles that night, and they would confer about her case. Sir Thomas came no more. On Sunday my sister Duke went to his house, and told him how she was, beinge then newly trubled with loosenes. Then she is gone, says he, irrecouerably. But she continued very weak, tho' not in paine, and slept Sunday, Munday, and Tewsday night, as the watchers thought, very well; but on Wednesday, towards 5 of clock in the morninge, I heard them stirringe in her chamber, and talking loud. I rose out of my bed, and found her out of hers, in great agonie. After they got her into bed, she was very sensible, but fetcht her breath thick and quick; her tonge and mouth were very sore; she called to haue them washt; then she lay quiet a while, but soone cried to God for helpe, and so continued as longe as she could speake, and answered the Minister in prayer, as she had done all along her sicknes; and about eleuen of clock that Wednesday morninge she died. She had made her will, and by that appointed to be buried at Roxwell, where accordingly on Munday followinge she was interred; her body beinge carried from my house in Greek Street, directly to the church, met by the way by her brother and some of her relations that liued in the countrie. She was of stature lower then just size, her face very beautifull, her limbs but small. Exceeding good natured. She married an old man, to whome she carried her always as became a wife, and with such respect as if he had been of proportionable years to herself, and with vnblemished reputation. She was to me al-

Lady Jenour died 17th August, 1692.

ways a very dutifull child, exceeding kind to all her relations, an exceeding good mistress to all her seruants, but to Elizabeth Crush fondly indulgent; but she tooke her a raw girle, and had kept her about twenty yeares; who, for a longe time trubled with very strange fitts, proceeding from vapours, became vnseruiceable; wherefore she prouided very liberally for her, allowing and setling on her 20*l.* a year for her life, and gaue her all her wearing cloathes, both linen and others. She gaue her other seruants legacies. She gaue her suruiuing sister, Abigail Bramston, 500*l.* and some other things; the children of her dead sister 250*l.*; and to a daughter of her brother she gaue 150*l.*; and to another daughter of his, her dressing plate (after the death of her sister, Abigail Bramston, to whom she gaue it for her life). Of her will she made me her executor; and, after her debts and legacies payd, she gaue me the rest of the estate.

An earthquake on the 8th day of September this yeare, 1692.

On the 8th of September, 1692, about 2 of the clock in the afternoone, in London and the suburbs there was plainly felt a tremblinge and shakeing of the houses, the chaires and stooles hitting togeather; many persons taken with giddiness. I myselfe was not sensible of it, nor did my daughter, nor Colonel John Bramston, who were at that time sitting with me at my table; nor, indeed, did any of the seruants perceaue it. It lasted about 2 minutes, as all our neighbours sayd; such as were aboue stayers, were most sensible of it, in all the parts of the citie. It was felt in Essex, Kent, Sussex, Hampsheire, &c. at the same time, and had the same continuance. The letters say it was also felt at the same time in Flanders and Holland; where, else we heare not yet. It did no hurt, God be blessed, saue only affrightinge many persons; and, indeed, it beinge so lately after the account come from Jamaica of the horrible and destructiue earthquake there, people had great reason to be apprehensiue of the effects of this. I doe not heare any perticular hath authentickly been set out of that yet, and I pray God England may neuer experiment the effects of

earthquakes, tho' I looke not on them as judgments from God, but as proceeding from naturall causes.

I went to Screenes 21st September, returned 11th October.

The 21st of September this yeare I went with my daughter Abigail Bramston to Screenes, where I had not beene since October, 1687. The weather very drie, and, for the most part, calme and warme; I returned thence October the 11th followinge; that day the weather hot, and the ways dustie. Since haruest ended they had no raine, nor litle in their haruest; they wanted some raine to make the ground fitt to receaue the seed; those that had begun to sowe gaue ouer, least their seed should mould in the ground, and not grow.

King William came from Holland.

Kinge William tooke ship at the Maese the 15th of October this year (1692), and sailed thence the same day, intending for Harwich, but the wind droue him northward, and he landed at Yarmouth the 18th; the 19th he went to Colchester, his coaches and guards waiting on the road; the 20th he came to Kensington. His Queene met him on the way. What account he will thinck fit to giue the two houses of Parliament of this summer's expedition, we may haue the 4th of the next month.

An Act of Parliament for a poll 91-2.

In the last session of Parliament, an Act for a poll; all gentlemen vnder the degree of a Baron at 21*s.* and all of inferior degree 12*d.*, &c. It required all gentlemen, by a certein day, to come voluntarily before the commissioners, and take the oaths of allegiance and supremacie, and such as came not accordingly were to pay double: I went not, but submitted to the penaltie, and payd 2*l.* 2*s.* euery quarter of that yeare. But now this session an Act is passed giueing fower shillings in the pound rent, and 4*s.* for euery 100, &c. with the same clause as before (but more strictly penned), inacting, all those that payd duble, or were liable to pay duble to the poll, and come not voluntarily before a (very short) day and take the oathes, shall pay double in this tax, which is eight shillings in the pound rent. I considered that would be halfe my revenue, consideringe reparations and other incident charges, and pay-

An Act for 4*s.* in the pound, which injoines the takeing the Oath of Allegiance and Supremacy, vnder penalty of payinge duble, as did the former Act for the poll.

inge interest to a moietie of the other halfe, I could not possibly subsist and manteine my-selfe and daughter, tho' I should yet retrench my family, which is now but one boy and three maids; and besides, as the Act is penned, if I submitted to pay the 8*s.* yet that would not secure me from takeing the oathes; for they might assess me for monie at interest (as in a former Act they had done), and put me to appeale, and when I came before them they might tender the oaths, and make me pay 40*s.* euery time I refused; and I had reason to beleiue they would send for me, because they had it in debate before them on the Poll Act, and I escaped narrowly then beinge sent for; and besides, too, any commissioner of the countie may act out of his diuision, and may send for any, and tender the oaths. These considerations, and what I mentioned before, preuailed me to take the oathes, so soone as the officers had been with me to inquire what they should assess me at for monie. The oaths I tooke before Sir Michael Cole, Colonel Rouse, Mr. Browne, and Mr. Rider, in the vestrie of St. Ann's Church on Wednesday the 8th of March, and I hope I haue neither offended God nor my own conscience thereby, my intent beinge to be peaceable, without molesting my neighbours or the Gouernement; only, as for actiue obedience, my age (beinge now in my 82d yeare) must excuse me.

8th March, '92-3, tooke the oathes, and causes induced me thereto.

This yeare may be stiled the vnfortunate for the Confederates, who haue lost Hidelberge, Hui, and Roses, and the armie in Flanders routed. The English and Dutch Smyrna fleete burnt or taken, some few excepted. How it will fare with Prince Lewis of Baden, the Emperor's General, is very doubtful; for the Dauphin hauing joyned the Marishal Lorge, the French are more numerous; and that was it preuailed in Flanders, for the French vnder the Duke of Luxenburge were eightie thousand, whereof 30,000 were horse, the Confederates at the fight not more than 45,000, horse and foote. And tho' the confederate army was posted aduantagiously, and killed (makeing great slaughter with their cannon) duble the number they lost,

1693, Hidelberge, Roses, Hui, taken by the French.

A battel at Landen, and the Confederates worsted.

yet fresh supplies tired the Confederates and preuailed, so that the Generalls, King William and the Duke of Bavaria, had much adoe to retreat. They lost their cannon and some men by cutting vp the bridges, tho' they saued themselues. The Duke of Wirtenberge, indeed, being detached before the batle with 20,000 men, had broke the French line, and raised contributions in the enemies countrie, euen beyond Lisle, to a considerable value; but that detachment, and another vnder Count Tilly towards Leige, had so weakened the maine army, that Luxenburge tooke incouragement and aduantage to attack the Confederates.

Charleroy beseiged.

The French not longe after (haueinge receaued a considerable recruit from the Duke of Anjou out of Britanie, and another from the Dauphin, and the Marishal de Bofleurs with his horse,) beseiged Charleroy, where they lost a great manie men, but had it at last surrendered. The Duke of Savoy had beseiged Pignorall, and Catinate was not strong enough to remoue the seige, so he retired to the hills and fortified his camp and Fenestells, vntill he had supplies from Germanie, which were sent by Lorge and the Dauphin; and then he came downe into the plaines of Susa, and the Duke of Savoy blew vp the Fort St. Briget, which he had taken before, and marched to Catinate, where was a battell, and the Duke routed.

Duke of Savoy.

Duke de Villeroy.

The seige of Charleroy was mannaged by the Duke of Villeroy and others with such forces as were taken out of other garrisons, whilst the Duke of Luxenburgh couered the seige with his victorious army and the recruits he had receaued; and, beinge still more numerous than the Confederates (tho' they were joyned since the battle with the Duke of Wirtenburge and Count Tilly), they durst not attempt the releife. The Gouernor of Charleroy, Don Francisco de Castilion, defended it a month, and, beinge desperate of releife, surrendered vpon very honorable conditions, and marched to Brussels.

Sir Thomas Darcy died in April '93.

Vpon the death of Sir Thomas Darcy, Baronet, a member of Parliament, and serued for the burrough of Maldon, in

Essex, Sir Eliab Harvie had a desire to be chosen in his roome, and intreated my assistance and interest, as he had done before to my sonn, but was answered by him, that without my consent, [neither] he nor any of the bayliffs, &c. would assist him, and there-vpon he came to me. I promised him my interest, and, at his request, recommended him as a fit person to serue as their representatiue, and my sonn appearinge vigorously for him at the election, he carried it by 22 voices, there beinge for him 159, for Mr. Hutchinson (who stood against him) 127. He beinge returned by the bayliffs, was admitted; but the other, backed by the Earl of Oxford and Sir Francis Massham,* and all the fanatick and discontented partie (I meane by discontented), a partie always auerse to the gouernors of the towne, for, as to the present Gouernment, they were well enough affected, and, amongst them, by Mr. William Atwood, one of Chaucer's buisie men, who perswaded Hutchinson to dispute the election, and petition the House, who did so; some of the freemen of the towne also, by the instigation and abetment of the aforesaid persons, petitioned; in both which they compleined that many that voted for Sir Eliab had not right of votinge in regard they had theire freedomes giuen them, and they termed them honorary freemen, beinge gentlemen of the countie, and 14 of them clergiemen, which ought not to haue votes. They also alledged that these honorary freedomes were contrary to a by-law and constitution made about '63, whereby it was ordeined that no freedome should be sold, vnder 5*l.* fine. These three heads were the principal matters insisted on at the Committee. They alledged that there were of these freemen 62 which voted for Sir Eliab, which being deducted, Hutchinson had the majority. I was produced as a witness on Sir Eliab Harvie's side, and gaue account what the practice had been in all elections since the returne of King Charles II. (the two last elections only excepted, at neither

Sir Eliab Harvie chosen to succeed him in the House of Commons as Burgess.

* The second Baronet of his family, and father of Samuel, created Lord Masham of Oates, in 1711.

of which I was present), that these freemen of the countie, both lay and clergie, had euer voted, without any exception taken; that the by-law was made in fauour of the poorer sort of tradesmen in the towne, for that formerly freedomes had been sold to strangers for small sums (as the Petitioners' Counsell alledged truly), who set vp trades in the towne, and ouerstockt the common, so that there was not sufficient custome for all; but those that made the by-law were the men that granted the freedoms, and certeinly did not barr themselues of granting freedoms, at least, they did not thinck they had barred themselues, for they had done the like euery yeare since that law was made, as might euidently appeare by their bookes; that the lay gentlemen were very vsefull to the corporation, beinge lyable to the chargeable offices, as aldermen, bayliffs, and justices of peace; and that manie of these honorary freemen had borne all those offices. (I could haue named Reuben Robinson, Doctor of Phisick, Mr. Hart, an Atturnie-at-law, Mr. Gratiano, a strainger borne (a Gretian), Mr. Charles Mildmay, great-vnkle to the now Lord Fitzwalter, my sonn Anthony Bramston, and Sir William Wyseman, of Rivenhall, who had all in theire turnes borne those offices; but I did not, because it was very late.) I acquainted the Committee how the freedomes were at first (as I conceaued) granted to clergiemen. They beinge neighbouringe Ministers, preacht on the bayliffs' feast days, or on theire market dayes; for in my memorie that was vsuall, and the nobility (as two Earles of Sussex, who liued at Woodham Walter, after New Hall was sold to the Duke of Buckingham,) came very often to the Saturday market-day sermons, as also did the gentry; and the towne would gratifie those Ministers with the freedome of the towne: which euidence of mine gaue so full satisfaction (the Towne Clerke affirminge much the same), that there was not one negatiue when the question was put whether Sir Eliab was duely elected. This was on the 15th of January, '93.

Francis Bramston died 22d January, '93.

On Sunday, the 22d of January, 1693, Francis Bramston,

second sonn of Moundeford Bramston, by my daughter Elizabeth Bramston, died at his father's lodgeings in Chancery Lane; a hopefull good youth, about 15 years old. He had some fitts of the stone, and had voided some, but that was not the cause of his death. He was taken with some convulsions at Croydon, at schoole, as was thought then occasioned by the paine of the stone; but he had not any such fitt in a yeare and more, but, falling sick of a feauor and ague, he had some fitts, and yet was prettie well, and was about euery where vntill a little before Christmas last, when he fell very ill, and had convulsion fits, and certeinly he died of that distress. He gaue great hope of proficiencie in learninge since he came to Paul's Schoole. His body was carried to Boreham, and buried there by his mother, the 23rd of the same January.

Buried the 23d of January.

John Lemot Honywood, sonn of Sir Thomas Honywood, being a chip of the old block, by stickinge to the factious partie, and by the interest of Henry Mildmay, was once chosen Knight of the sheire for Essex with the same Mildmay, and now lately, vpon the death of that man, but by the same partie, and the influence of the Sherrif, was chosen again Knight in his rome. He had married the sole daughter of Sir William Wyseman, of Rivenhall,* and haueinge no child, she preuailed with him to setle his whole estate on her by a trick, that is, by telling him Kinge James was certeinly returninge, and then his estate would be confiscated, and therefore aduised him to setle his estate on her: which haueing done, he grew very sad and discontented in mind, attempting to choake himselfe by thrustinge the rump of a turky down his throat; another time he gott tobacco-pipe ends into his mouth; and once he attempted to throw himself

John Lemot Honywood hanged himself the 14th day of January, '93.

* Sir William Wiseman, of Rivenhall, created a Baronet in 1660, by his wife Elizabeth, daughter and heir of Sir Lewis Mansell, of Margam, in Glamorganshire, Baronet, left an only child, the lady here mentioned, who was named after her mother, and married Isaac La Motte Honywood, Esq., of Mark's Hall, Essex. After her death without issue, Rivenhall was sold to the ancestor of the late Lord Western by the widow of Sir W. Wiseman and his surviving brother.—*Morant's Essex, vol.* 2, *p.* 147.

down staires, but was preuented in all these. Yet his discontent still continued, and his wife had two men that attended him; but he after a while dissembled, so that she, beinge miserable to baseness, for thrift putt off one, and, it seemes, thought herselfe and one man might guard him well enough; but on Sunday the 14th of January, 1693, his wife going out of the chamber, he sent the man to fetch him a glass of small beere from the tap: he took an old broken garter, fastned it to the curtain-rod of his bed, and hanged himselfe, by the assistance of the diuil, for both the garter and curtain-rod else could not haue held a quarter of his weight.

Sir Charles Barington chosen Knight of the sheire, against Mr. Benjamin Mildmay.

By his death the countie was put vpon a new choice. The gentlemen set vp Sir Charles Barington; the Earl of Oxford, Earl of Manchester, and the factious partie, set vp Mr. Benjamin Mildmay, younger brother to the Lord Fitzwalter; and on Thursday, 22d of February, '93, at the Countie Court, by adjournement from Stratford to Chelmesford, it came to a poll, when Sir Charles had 2,327, and Mr. Mildmay 1,700, and some odd. Sir Charles caried it by 578.

The House of Commons hathe supplied the Gouernment amply, granting 4*s*. in the pound on land, [and] by projects haue made the aid for the war this year ensuinge 6 millions, by lotteries and bancks.

1694 The Parliament prorogued from April 25 to the 18th of September.

The Parliament, after haueing granted such large supplies, was on the 25th of April prorogued to the 8th of September followinge; and the same day King William began his voiage for Holland, after he had created the Earl of Shrewsberie Knight of the Garter, whom also he created Duke of Shrewsberie. The Marquess of Carmarthen made Duke of Leedes; the Earl of Bedford Duke of Bedford; the Earl of Devonsheire Duke of Deuonsheire; the Earl of Clare Duke of Newcastle; likewise the Earl of Mulgrave made Marquess of Normanby, and the Lord Newport made Earl of Bradford. He made Privie Councellors, and changed some officers. After the Kinge had embarked, the

wind changing, he came a-shore, and went to Canterburie, intending to embarque at Margaret,* from whence he arriued safe, and came and encamped at Bethlem Abbie, neere Lovaine.

Admiral Russell scared a fleet of French merchant ships, and some men of warr, which lay at Bertaun Bay, and made them run a-ground.

A designe beinge to make some attempt vpon Brest, the fleete tooke on board 1,200 men, and landed some, but the designe was so well knowne to the enemie, that they were prepared, and cutt off manie of the English, and wounded Talmach who commanded in cheife, who died of his wounds; but Russell, with the maine fleet, sayled towards the Medeterranean.

Thomas Randes died 2nd June, '94.

Thomas Randes, eldest sonn of Katharine Moundeford by Christopher Randes, died at the house of his daughter, the widow Thompson, on the 2nd day of June, haueing compleated his eightieth yeare of age May the 7th precedent this same yeare, 1694.

William Peck.

William Peck, eldest son of Sir Edward Peck, knight, and Sergeant-at-law, grandsonn of Moundeford, daughter of one of the younger sonns of Sir Edmund Moundeford, haueing married Gartrude, daughter of Sir Edward Greene,† died 27th of June, 1694, at his house Sandford Hall in Essex. He left two sonns and two daughters, all younge. His eldest sonn, William, was readie for the vniuersitie, and just goeing thither when his father died. This William Peck, the father, was of stature rather low than tall; he was fleshy, not fatt; of competent strength, and well sett; his complexion was ruddie, his parts very good; a sound judgment, and quick apprehension. He could not be called learned, but he vnderstood Latin very well. He was firm to the religion he was bred in, being that of the Church of England, free from the schisme, &c. brought in

* Margate.

† Sir Edward Green was created a Baronet in 1660. He had large estates in Essex, which he wasted by gaming.

with the Reuolution. He was frugal, yet generously charitable. He liued plentifully to his family, and his table furnisht so as to receaue a freind or neighbour. He was very temperate in his dyet, either as to meates or drincks, yet died of a violent feauour. His greatest expence was in and about his gardens, wherein he was very curious, and at great expence annually. He had all sorts of curious and rare flowers, greenes, and Indian plants, for the preseruation of which he built stoves, and with fier kept them warme in winter. His grandmother and my mother were cousens in the first degree, beinge the daughters of two brothers, both younger sons of the family of the Moundefords of Feltwell, an antient family in Norfolk, (as I haue elsewhere sayd,) and I thinck he comes from the eldest of these two brothers.

Abigail Bramston.

Abigail Bramston was the eldest of all my daughters, and my second child. She was borne at Screenes on the Eve of St. Bartholomew, 23rd of August, 1637; died at my house in Greeke-streete, in the Soho, in the parish of St. Ann, within the liberties of Westminster, on the 3rd day of July, 1694, and was buiried at Roxwell on the 6th day of the same month. She was of a moderate stature, and well shaped; handsome, but not a beautie; her complexion sanguine, which inclined to choller. She was virtuous and pious, neate in her person and house. She began to be my housekeeper when she was very younge; loued a liberal table whilst I continued at Screenes, but was neuer prodigall nor wastfull; when I remoued to Greeke-street, she proportioned my expence to my family, but so as we shamed not to be surprised by a freind or two. She was very carefull of me, see me in bed at night, visited me in the morninge, craued my blessinge, and assisted me at my risinge, and was very studious to pleasure in my diet, and what else was in her power. She died vnmarried, (haueinge refused some aduantagious offers,) in the 57th yeare of her age. Her sickness was longe and sharpe. At first it was judged to be a

chollick in her stomach; it afflicted her seuerall yeares. She tried all the eminent phisitians about the towne, Dr. Lower, Sir Thomas Millington, Sir Charles Scarborough, Sir Thomas Wetherly, Dr. Gibbons, Dr. Browne, Dr. Radcliff, Dr. Lister, Dr. Cole, Dr. Vaughan, Dr. Hucks. She tasted and tryed all waters; the Spaw, all the purgeinge waters in England, (that is, about London, and the Bath too,) syrup and decoction of steele, the elixars, and bitter wines, *Mercurius dulcis*, laudanum, and all the opiats, asses milk, and zago, to preuent consumption, but yet was wasted to the lowest degree. By what is sayd it will easily be beleiued her sickness was very chargeable. She vsed fower seuerall apothecaries: Dr. Lower his apothecary had a short bill, but Mr. Chace a large one, 30*l.* at least, for her; Mr. Soame 20*l.*; Mr. Peirce, who was her last, his bill 130*l.* 7*s.*.6*d.*, yet he began but in October, '93, and wanted neere three months of a yeare. After all this expence, and the tryall of so manie medecines, doctors, and apothecaries, there was not found any medecine that gaue any present ease, no, not the laudanum and other opiates; a plaine demonstration her disease was knowne by none of the doctors. Lower, Millington, and Scarborough called it the chollick. The first prescribed chalybeat, syrups, and bitter decoctions, the other two Spaw water, and purginge waters. Lister sayd she had an imposthume, Cole sayd an vlcer, or some mortification in the bowells. Her apothecarie, Peirce, thought there might be some stone in the kidnies; so sayd Vaughan too. Radcliff laught at him, and sayd it was an impostume, but thought her in a deepe consumption, and that she would come to vomittinge of blood, and so dye; indeed, from the first time he saw her, he sayd it was a thousand to one if she recouerd, for she was so far spent and wasted that scarce euer any recouered that was so low. This man spake what he thought, and cared not to come vnsent for, nor then neither but vpon great importunitie; and the last tyme he told me, The art of man cannot recouer her. Yet she was desirous to trye,

and we did, others, for I was vnwillinge she should thinck I grugged the expence, tho' I was satisfied she was past man's helpe; and sometimes she herselfe would tell my sister Dyke and neece Goodfellow so; and yet at other times would try other phisitians. All in vaine; for at best they doe but guess, and I am perswaded most of them dissemble their opinions, and comply with the patient's desires, and their owne profit. After two yeares' almost constant tormentinge wrackinge paines, the experiments of so manie well practised doctors, and innumerable seuerall medicaments, an excessiue quantitie of laudanum, liquid and otherwise prepared, she one day vnexpectedly fell into a swound, and her people about her thought her dead, and, affrighted, called me and sister vp to her from our dinner; but before I got vp she was come to herselfe, knew vs all, and spake longe and strongly that afternoone, tooke some rest that night without helpe of any opiate, but in the morninge fell again into a swound, and so died, saying only, God haue mercie on me, I am dyinge.

My returne to Screenes.

After the death of my only daughter and nurse I soone tooke resolution to quit my house in Greeke-streete, and returne to my house, Screenes, in Roxwell, in Essex, where my sonn, his wife and family, had resided all the time I was absent; and accordingly on the 13th of August I came home, bringing with me one mayd and a boy; and my cousen, Collonel John Bramston, left the towne also, and came to Screenes. I am come just at the expiration of my eightie-and-third yeare, and haue made this memorandum the first day of September, 1694. What more I may add I know not. I am very well pleased with God's dispensation, and I hope am readie to leaue this wretched world at His call. I continued here in good health (only my leggs swelled sometimes in the small about October), and on Christmas Eve, in the night, when I awaked with a purpose to receaue the Holy Communion the followinge day, to which dutie I had prepared myselfe, I found a great sorenes in

the groine on my right side, and as I stirred it was sharpe. When I thought to rise it grew very much sharper, so that vpon any motion I was forced to cry out aloud, and thereby I was constreined to keepe my bed. At the returne of my sonn and the family from church and sacrament, Sir Thomas Dyke being at that time here, and his lady, and Sir Thomas comeing into my chamber, and discoursinge of the distemper, he thought it might be cold, because it had not remoued. But I feared it might grow to a rhumatisme, or running gout (because I had formerly had two fitts of that distemper, and both proceedinge of colds taken). He thought it was aduisable I should be let blood; yet in regard of my age he thought best to haue the aduice of a phisitian; and was writing to his mother, my deare and only suruiuing sister, to send either Dr. Radcliff or Sir Thomas Millington downe; but we were both vnwillinge to affright my sister, who we feared might take the aduantage of the coach and come with the Doctor, which we judged must needes be prejudiciall to her health in so vnseasonable weather (for it was very sharpe); and my sonn haueing met Dr. Yardly at Chelmsford, thought he might be on this side the country; so he was sent for to haue his opinion before we sent to London. He came that night, and findinge my pulse not much out of order, my water not high, my head free from akeing, my paine still in the same place, and without any swellinge, he would doe nothing that night. In the morninge he found no other symptomes than ouer night; he judged it was only cold, and prescribed nothinge but to keepe my bed and a spare dyet, no flesh, only water grewell. And I obserued his directions, tho' I continued in great paine on the least motion, euen to torture. But by the mercie and blessinge of God I am well againe, and free from paine, but very much weaker than before I was. And here, because I doe not remember I have before noted it,* I will relate that about Christmas was

* Vide page 108, where an account of the same illness is given; but it was not worth while to omit either passage.

twelve months after I married, on a morninge when I rose out of my bed, I felt a paine in one of my ancles, and told my wife I had sprained my foote the day before, and felt it not. I had been that day a birding with the sparhawke and stonebow (a sport I delighted much in), and caught cold. I dressed me and went out to the parlor, and some gentlemen comeing that day to dine with my father, Mr. Pinchon and Mr. Bernard, I waited on them, and we dranck a botle or two of wine. That night the paine removed into my other ancle, and so into my knee, and rested in the hollow of my hamm with great paine. Whereupon Mr. Vuies, a phisitian, a Dutchman dwellinge at Chelmesford, was sent for; who, comeinge immediately, let me blood, and soone after purged me and swet me. But my paines continuinge, and removinge from joint to joint, my father would have a phisitian sent for from London; and Dr. Spicer came, and brought with him an apothecarie. He blooded me, purged me, and swet me, and stayed four or five days here, and then left me weake and in paine still. But, by God's mercie, after a month or six weekes I was rid of my paines and I came abroad againe, and had no more of that distemper untill about fifteen yeares after, ridinge from Screenes to London, to my sister Porter's house in Bell Yard, on All Hollan Day, when I alighted from my horse I found a great paine in my hip on the right side, but I tooke litle notice of it to any bodie. Next day both my ancles were sore, and before night both my knees. Then I began to feare my old disease was come againe. And so it did, and rann over every joint of my bodie, even my neck; but I thanck God it neither tooke my head nor my stomack. But, whatsoever the doctors could doe, which were Dr. Leonard and Dr. Prujean, I was confined to my bed, and eate no manner of thinge but water gruel; and tho' purged, and blooded, and sweated oftentimes, I could stir neither hand nor foote, but was fed by my daughter Abigaile (whom therefore I stiled my nurse) from that time untill March followinge was ended; and for the

most part of that time was raised by fower men untill my bed was new made, and so layd downe againe. My joints were so benumbed and enfeebled that I could not for a longe time after goe without leadinge, nor could I open or shutt one hand without the help of the other. So that many thought I should be a criple duringe the remainder of my life. And therefore some aduised that I should goe to the Bath; and amongst others Mr. William Painter was exceedinge earnest for it, sayinge he had knowne some had receaued the vse of theire limbs on the like case. But Dr. Leonard was absolutely against it, and sayd it might petrifie the humor, and make me lame all my dayes, but good it could not doe. My father continued doubtfull. I went to Dr. Harvy,* then newly come from Oxford, and askt his opinion. He told me the Bath was a fine place, and there was good companie there. I replied, I knew the humor of the Bath and the companie; but my question was, whether the Bath would recouer me my limbs againe. He sayd, he could not say it would; but it might possiblie harden the humor in my joints, and lame me. But, sayd he, if you would be rid of the gout, you must neither drinck wine nor any stronge drinck; you must eate but once a day, and that very sparingly too. And so I left him, and went to Sir William Palmer and Mr. Coppin, with my brother Robert Abdy, vnto the Fleece in Cornewell; † who inquiring what Dr. Harvey sayd, I told them. And Mr. Coppin replyed, Dr. Harvey hath starued himselfe these twentie years, neither eating nor drinkinge, but as he hath directed you, and yet he hath the gout. To which I returned, If to fast and haue gout, be all one with eat and haue the gout, I will doe as I haue done. And from that time to this present I haue neuer had any touch of it vntill this Christmas, that I was put in feare of it, as I haue sayd. For which I hartily thanck my mercifull God.

On Friday the 28th of December, 1694-5, about one in the

The Queen sickned and died of the small pox.

* The celebrated William Harvey who discovered the circulation of the blood; buried at Hempstead, in Essex.

† Cornhill.

morninge, Mary Stewart, eldest daughter of James Duke of Yorke, King of England (wife of William Henry Prince of Orange, and since this reuolution by Act of Parliament made and proclamed Kinge and Queene), died at Kensington, after a few days' sickness, of the small pox.

She was buried at Westminster.

Tuesday, the 5th of March, she was buried at Westminster, very solemnly; the Lords in their Parliament robes, and the Commons in longe moorning cloakes, each member haueing six yards of cloath sent to him (they proceeded two and two, as they are called alphabetically in the roll of the House), and the Speaker, Sir John Trevor, with the mace before him, and haueing his traine borne vp. This addition to the solemnitie was neuer before; for tho' Queen Mary died sittinge the Parliament, the Commons could not attend as a house, for the Parliament was dissolued by the death of the Queene; but now, the King beinge King by the same law that this Queene was Queene, the Parliament was not dissolued, nor was the throne vacant.

Sir John Trevor removed from beinge Speaker and expelled the House.

Soone after this solemnitie ouer, a motion was made in the House of Commons for the inspectinge the East India Companies books, and also the books of the Chamber of London, grounded on a report that much monie had been distributed amonge the members, for their consent to the passinge the Bill for inablinge the citie of London to pay their debts due to Orphans and Widows; which had been longe in agitation, but still was put off from time to time. The Common Councill thought best to make obstructors their freinds by gratuities; and so it came to be discouered that 1,000*l.* was giuen to the Speaker for his paines and truble in the passinge that Bill, for which he was called vpon to giue his answer; who owned the hauinge receaued the monie, and thought he had deserued it, and that euery bodie had known it, for he neuer concealed it. This satisfied not, and many sharp harangues were made against him, and at length the question was called for, which he framed, and some disliked the wordinge; and at last the question was stated, and he putt the question, Whether Sir John Trevor was guilty of a high

misdemeanor in taking, &c.; and vpon the division he declared that the Yeas had it: so the House adjourned that night, and the next morninge, he not comeinge, sent a letter that he was taken with a fitt of the collick, and doubted he should not be able to giue attendance that day; so they adjourned, the Clerke putting the question. Next day he sent a letter, and desired, by reason he continued ill, to be discharged from the seruice: he also wrote the like to the King, who by Mr. Wharton signified to the House what Sir John Trevor had writ to him, and gaue leaue to the House to choose another Speaker; and Mr. Wharton, in the same breath, named Sir Thomas Littleton; but Sir Christopher Musgrave sayd that was irregular, and looked like an imposing not choosinge, and for that reason he moued for Mr. Paul Foley, who was thoroughly acquainted with the Orders of the House. Some debate arose, and the question was put and carried for Paul Foley. Then was Sir John Trevor expelled the House, and a warrant for a new writ for a new choice.

William Fitch married.

William Fitch esquire, sonn of Sir Barrow Fitch, by Elizabeth Bramston, eldest daughter of Sir Moundeford Bramston, married Corie, sole daughter and heire of Dr. Corie, Archdeacon of Essex, by his wife,* the relict of John Mildmay esquire, sonn of Sir Humphry Mildmay of Danburie knight, on the 27th day of March, 1695.

Elizabeth Fitch died of the small pox.

Elizabeth Fitch, daughter of Sir Barrow Fitch by the aforesaid Elizabeth Bramston, fell sick of the small pox two or three dayes before Easter, and died the 2nd of April followinge, haueinge not heard of her brother's weddinge, by reason of her beinge so very ill, tho' she sojourned at Springfield, with one Mr. Betts, within very few miles of Danburie.

The Parliament prorogued.

The Parliament was the 3rd of May prorogued to Tewsday the 18th of June, and from time to time vntill the 11th of October, that his Majesty dissolued the same by proclamation, and

The Parliament dissolued the same day the King came to Kensington, 11th October, '95.

* Her first husband was slain at the battle of Newbury.

called another to begin the 22nd of November followinge. By this he preuented the dissolution that should haue been in March followinge by Act of Parliament, and by callinge another so soone he hath preserued yet the prerogatiue of the Crowne; and I am of opinion this Act will haue the same effect with those in Edward the Third's time, pursuant to which there neuer was from that time to this one Parliament called; so carefull our Kings haue been of that pretious flower of the Crown, the power of calling, proroguinge, and dissoluing Parliaments.

Another then called by writ of that date, to begin the 22nd of November followinge.

Lord Justices appointed to gouerne in the King's absence.

The King declared in Councill the 3rd of May he had appointed Thomas Archbishop of Canterbury, Sir John Sommers, Lord Keeper of the Great Seale, Thomas Earl of Pembroke, Keeper of the Privie Seale, William Duke of Devon, Lord Steward, Charles Duke of Shrewsburie, Secretary of State, Charles Duke of Dorset, Lord Chamberlaine, and Sydney Lord Godolphin, a Commissioner of the Treasury, to be Lords Justices of England during his absence.

Katharine Lady Dyke.

Katharine Lady Dyke died, haueing suruiued her husband Sir Thomas Dyke knight many yeares, twenty-fiue or more. She married in August 1639, but the day of the month at this tyme I haue forgotten, as I haue also the day and yeare of his death. She carefully mannaged the estate during the minority of her eldest sonn, Sir Thomas Dyke baronet, and on his marriage with Philadelphia, eldest daughter of Sir Thomas Nut knight, haueing parted with a considerable part of her jointure, thereby inabling him to make a more ample jointure to his lady, she did obteine from him an augmentation of 200*l.* to each of her youngest daughters, Dorothy and Bridget, yet not to be payd vntill after her decease. She continued very indulgent vnto all her children, and tooke a house in London, to which, as theire home, they might resort, and some of them liued constantly with her. But taxes risinge excessiuely on lands, and rents fallinge, her sonn Sir Thomas shewed great dutie vnto her, and supplied her often when her tenants failed, and payd

one halfe of the rent of the house, wherein he had lodgeings for himselfe, his lady, and children; and it was very conuenient for him and his family, for there he was lodged and had his diet for all at very reasonable rates; and because of his attendance in Parliament, once as Knight of the Sheire for Sussex, and after as Burgess from Grinsted, his attendance required his and his wife's beinge in towne almost always. The Parliament beinge prorogued, and he and his family gone into the country, she fell sick of a feauor, whereof in very few dayes she died. The daughters sent for him, and he came to see her aliue. I also had notice sent me on the 20th day of June, but I had no conueniency of trauelling or lodgeing in towne. My sonn was auerse to my goeing to her, and Dr. Sir Thomas Millington sayinge he had conquered the disease; but old age was incurable; for he had applied the Jesuites powder, and had stopped the fitts; he had nothing to strugle with but age. This being by letter signified unto me, I sufferd myselfe to be preuailed with to stay; but the feauor returned, and she died the 28th day of May, 1695, in the 75th yeare of her age, and was buried by her husband at Waldron, in Sussex. She was indued with great vnderstandinge, liued very piously, gaue constant attendance at diuine seruice in the church on Sundays, had prayers daily in her family, and since she came to dwell in towne, if she were in health, and not hindred by ill weather, she was at morninge or euening prayer in the church or tabernacle daily, as well working dayes as holidays and Sundays. She was extreame vsefull to her neighbours, as well the greatest as the meaner sort; beloued of all, lamented by them when dead.

She died 28th May, '95.

This summer's campaine hath not proued so successfull and glorious on the French side, either in Savoy, Catalonia, nor Flanders, as formerly, Namur and Cassall beinge taken from them; he haueing not been able to raise the sieges, tho' in Flanders he had an army of 100,000 fighting men. He attempted to diuert the confederates by attackinge Dixmude and Diense,

Namur.

which were surrendered vnto him, and he sent the garisons into his armies, beinge 6,000 men. But vpon the surrender of Namur, when the Marishall de Boufflers and the Count de Guiscard the governor of the castle marched with their swords drawne in the head of the garrison, beinge 4,190 foot and 1,205 dragoons, Brigadeer Estange, a Dutch officer, aduanced towards the Marishall, and told him he had orders from the King of Brittan to arest him, by way of reprisal for the garrisons of Dixmude and Diense, which were deteined and ill-treated by the French, contrary to their capitulation and the cartell. At which he seemed much concerned; but beinge forced to submit, was brought away prisoner, haueing first had the offer of his liberty vpon his parol, and promise to returne in fourteen dayes, to procure the liberty of our men within that time. He saying that was not in his power, he was retained a prisoner vnto the said L'Estange at Namur, and was afterwards remoued to Maestreike. But the French Kinge released all our men, and the Marishall had his liberty, and was made Duke and Peere of France. Note.—The Spanish General, Mendosa, in a former war, at the siege of Ostend, was taken prisoner by the Dutch, and was exchanged for all the Dutch prisoners anywhere, both at sea and land; of such value was Mendosa then and Boufflers now to their masters.

I am now entred into my eighty-fifth yeare of age, haueinge been present at two elections for members of Parliament, that at Malden of the 7th of this instant November, the other for the countie on the 12th of the same November. At Malden were candidates, Irby Mountague, a Collonell, a stranger to our countie, but brother to Charles Mountague, who serued in the last Parliament for this burrough; and by that meanes has gotten to himselfe great offices and much wealth; and by fighting some, and bribing and corrupting others, now sett vp his brother, to aduance himselfe, if he cann, as much. There stood also Sir Eliab Harvey, who was the other burges

last Parliament, brought in then by my-selfe and sonn and our interest; and my nephew, Dr. George Bramston; which last had not thoughts of standing vntill Mr. Charles Mountague, being now Chancellor of the Exchequer, was courted to serue for Westminster, and was there elected, with Sir Stephen Fox, but vpon Mr. Mountague's declaringe and assuringe Sir Eliab Harvey, that, notwithstanding his election at Westminster, yet he would, if chosen, serue for Maldon, this we could not belieue; but Sir Eliab, from him, assuringe vs and the towne too that he had so assured him, we, giueing too much credulity, gaue Sir Eliab assurance we could not oppose either Mr. Mountague or him. Now Mr. Mountague had been at Maldon, and treated very high, and inuited the bayliffs, &c. to Lees, my Lord of Manchester's (who also was at Maldon), and thereby had gained the majority of electors; so that we thought not fitt to oppose him, and were too far ingaged to Sir Eliab to set vp one against him. But at length we had some litle hint that Mountague would set vp his brother; and George Bramston went to him, who did not denie it, and would haue had George to giue his interest that time to his brother, and promised at next election not to oppose, but let George be chosen; which George refused, and declared he would stand, and sent downe and treated the freemen. He lost it by a great manie, all our votes goinge duble, and some of Mountague's. In the management of this affaire we are to charge ourselues with folly, for trusting and too soone ingaging for Sir Eliab. We haue also to lay to Sir Eliab's charge vnderhand and duble dealinge, by engaginge with Mr. Mountague as he did to visit each other, to spend at each other's house some beare, tho' to eat apart. It is too tedious to set down perticulars; but this short note shall serue for a longer.

Sir Charles Barington chosen Knight of the Sheire by the gentlemen and major part of

At the countie election were candidates Sir Charles Barington, set vp by gentlemen; Sir Francis Masham and Mr. Francis Mildmay, set vp by themselues, the Lord of Manchester,

freeholders, Sir Francis Masham by the other party, against Francis Mildmay.

and the Lord Fitzwalter. Sir Charles was alone, because Mr. Bullock (tho' he had sayd if the gentlemen set him vp he would stand) refused when sent vnto by the gentlemen. In polling, the Sherrif would haue polled without oath, intending by that slight (vnder pretence of dispatch) to get in the Quakers, who were come in great numbers, being inuited therevnto by Sir Francis Masham. And great and longe debates we had, and could not stirr the Sherrifs, the Lords also vrging for it, as did also Mr. Charles Mountague, who came with my Lord of Manchester, and stickled for the Quakers, tho' he be no freeholder in the countie. The Sherriffs resolued to poll them; we protested against them. At last Sir Charles had 2,037; Sir Francis, 1,825; Mildmay, 1,716. There were about 70 Quakers who gaue for Masham and Mildmay; but their votes were set apart, and not sufferd to be cast vp as pollers, by all the gentlemen present.

A plot to assassinate King William, and procure an army to land from France.

Sitting this Parliament, intimation was giuen that an assassination was designed vpon the person of King William; and at the same time a descent was designed by King James with forces from France. King William was to be assassinated by forty-five persons, some whereof were to attack the Guards, whilst others by shooting into the coach were to kill him, and those in the coach with him, as he went from Kensington in a morning as he went to hunting. Seuerall persons were apprehended, and one Charnock, Kinge, and Keys were tryed for the assassination at the Old Bayly, by a speciall commission of oyer and terminer, the 11th day of March, 1695; Sir John Freind, a brewer, the 23d of the same month; and Sir William Perkins the 24th also of the same month. And note, that Act of this Parliament allowing councill to the defendants in tryals for treason was to take effect from our Lady Day 1696, which was the very next day; and Sir William Perkins pressed hard for some time to bring his witnesses, which by reason of his close imprisonment he could not get ready; and also for councill, it beinge

according to the equity and justice of the thing; and desired the Act to be read, wherein what he alledged was expressed. But the Judges, the Chief Justice Holt, Trebie, and others, sayd they must proceed according to the law in present, and so ouer-ruled him. Charnock had claimed the same, but was also ouer-ruled. The witnesses against Charnock, Kinge, and Keys were five:—Mr. Porter, Mr. de la Rue, who discouered the designe to the King, beinge introduced by Brigadeer Lewson, and the Earl of Portland, who was vsed as a witness only of the discouery. Mr. Pendergras, who also discouered the buisines to the Earl of Portland, (and the Lord Cutts testified with the Earl of Portland the discouery to the King by Pendergras,) Thomas Bertham, and Mr. Boyse. These five were Papists; so was Charnock, Kinge, and Keys. This last was seruant to Porter, the sonn of George Porter, a trumpeter; and King's mother was a woman that cutt woemen's haire. Charnock was a man of parts; and sayd as much as a person guilty could doe in his defence, as may be seene in the printed tryall.

The witnesses were Porter, De la Rue, Mr. Pendergras, Bertham, and Boyse, all Papists; so were Charnock, Kinge, and Keys.

It did not appeare vpon evidence that Sir John Freind had anythinge to doe in the assassination; but Porter says there were two meetings in the latter end of May or beginninge of June last, at which meetings were the Earle of Ailesburie, the Lord Mountgomery, Sir John Freind, Sir William Perkins, Mr. Charnock, Sir John Fenwick, himself (Porter), and one Mr. Cooke, I know not his Christian name, and after dinner came in Mr. Goodman. At both these meetings it was consulted to send Mr. Charnock into France, to inuite King James to come ouer into England, and to preuaile with the French Kinge to lend him 8,000 foot and 2,000 horse and dragoons; and they agreed to assist him with 2,000 horse at the landinge. And Sir John sayd he would be as ready as any man, but he neuer saw any commission; but Sir William Perkins and Mr. Charnock sayd he had a commission. He cannot tell whether Good-

Sir John Freind's triall; the witnesses were Porter, Blair, Bertram.

man or Mountgomery were at the second meeting; but Sir John Freind was at both.

Blair swears he saw and read a commission from King James to Sir John Freind to raise a regiment of horse for King James his seruice; and that Sir John was to be Collonell, and he (Blair) Lieutenant-Colonel, as Sir John promised; and Bertram was to be his Lieftenant. Bertram says Blair spake to him to be a trooper, &c.; but he neuer had any words with Sir John Freind.

Sir John Freind insisted much that the two witnesses against him were both Papists, who, hauing secured their owne lifes, might thinck it meretorious to take away a Protestant's; that Blair was a poore man, and made compleints of his pouerty, and Sir John in charity releiued him sometimes. But the Court thought the exceptions not considerable.

Sir William Parkins his tryal.

The indictment against Sir William Parkins was for the inuasion by the French, and also for the assassination. He pressed hard to haue his tryall deferred a day or two, in regard that he had been a close prisoner, and had not notice of his tryall untill Friday last; so that he could not haue his witnesses in so short a time, they beinge many, as the matters objected against him as great and many, and his witnesses dispersed; but in truth the next day was our Lady's day, when the act for allowinge councill was to take place. But the Judges would giue no longer time. Sir William pressed the equity of that law expressed in the preamble, which was as stronge this day as the next, but the Judges sayd they must proceed according to the law in beinge, and so ouer-ruled him. Porter testified his beinge at both the meetings and consultations; that he was to raise horse for the inuasion, and vndertooke to find three men and horses for the assassination, saying he could not be there himselfe, haueing work enough to raise his troope, but sayd it would bringe King James in easily, &c. Sweet sayd Sir William told him his troope was ready, and consisted of old souldiers, and that some officers would ride voluntiers vnder him. Eubanck

The witnesses, Porter, Sweet, Eubanck his servant, Hypwell, Haywood, Whetstone, Watts, Freeman the hostler, Turton the tapster.

Eubank.

was Sir William Parkins his groome. He says he went with his master into Leicestersheire in January on a Thursday, and stayd at Leicester from Friday to Sunday morninge, when they came homeward, and got to Bushie about 8 of clock Munday night. One Captain Scudamore went with him, and came back, and one Yarburrough was at Leicester, and one in black, that was sayd to be a minister. He says he brought three horses to towne on Friday, Valentine's day, to the George Inn in Holborn. His master went out of town on Munday, and one Holmes, a fatt thick man; and on Friday followinge his master came to town again, and Holmes, this witness, and another seruant; so there came four horses, and euery horse had pistols. He had order from his master to goe into Warwicksheire to his house to one Evans, to whom he carried a letter from his master, but he knowes not the contents; that Evans and he went to Mr. Haywood, a tradesman, and fetched away some boxes, and buried them in the garden at his master's house. He knows [not] what was in them, but Evans sayd they were choice goods. The cart went for them about 4 in the afternoone, and returned about 10 or 11 at night. Sir William Perkins beinge demanded whether he would ask him any questions, sayd, "You say one Holmes went out of towne with me: pray giue account what Holmes that is." He answered, "It is fat Mr. Holmes, that liues at the Golden Key in Holborn." Sir William Perkins—"My Lord, I askt the question to distinguish him from Major Holmes, whom Mr. Attorney opined to be that Holmes that is in the Proclamation." "You did well," sayd the Atturney, "to ask that question to explaine it." Hypwell speakes of the goods in boxes fetcht from Mr. Hayward's house, and carried to Sir William Parkins's. Haywood sayd about Michaelmas last Sir William Parkins his man came to him with a letter from one Mr. Charnock, desiring me to let some goods of Sir William Parkins's be layd vp in my house, Sir William beinge vnwillinge to leaue his goods in an empty house, he purposing to Hypwell.

take away his seruants. The goods were put into prettie big chests, nailed and tackt. There was a bed and bedding, and a peece of tapestry or two. He tells the goods were fetcht away
Whetstone. by Whetstone on Ash Wednesday, at night. Whetstone says, Evans, Sir William Parkins his man, came to him to desire him to goe and fetch some goods for Sir William Parkins from Mr. Haywood's, which he did, seuerall boxes and some beddinge, seven or eight boxes, which were put into the ground by the wall
Watts. side, where they were found, and says they were armes. Watts the Constable says he searched Sir Williams Parkins's house, and found in the garden some armes, four dozen of swords, thirty-two carabines, twenty-five brace of pistolls.

Freeman. Freeman, hostler at the George Inn in Holborn, says, Sir William had been a guest all the last summer at times, and had sometimes three horses, sometime four, and neuer aboue five, and that was about a week before the plot brake out, as he remembers. They came in on Friday night. He saw only Sir William his groome, and another man seruant. Four of the horses had holsters and small pistolls. A led mare with a portmantua, and in a horse-cloth wrapped vp was one or two pair of jack-bootes. They went away on Saturday, in the afternoone. There were two men that had rode out about nine or ten, and came back between twelve and one. They had rid hard, for their horses came in a sweat. He says something of a roane horse brought from Somerset House by a porter, and a very fat man mounted him, and roade out with Sir William Parkins. Sir William askt how high the horse was. He sayd, "About fourteen hands high;" and Sir William replied, "There is your mighty horse for seruice."

Turton. Turton says, he had knowne Sir William Parkins vsed the inn fower or five yeares. He came to town last February with three horses. The last time he came with four or five horses, vpon Friday before the plot brake out, when Sir William gaue order to his grome to haue the horses ready against Saturday

morninge. He did not goe out with all his horses that Saturday morninge, but two gentlemen rode out two of the horses, and stayd out about two howers, and came in again with their horses sweating, as if they had rode prettie hard, and in the afternoone they all went out of towne, and gaue out they would be in town again on Sunday or Munday, but they came not. After came one Mr. Lewis, who had been gentleman of the horse to the Lord Feversham. It was in the afternoone, about two or three howers before Sir William went away, and all his horses; and more to this purpose, of Lewis comeing to inquire for Sir William Parkins. He says two or three of the horses had holsters, and they had four or five cases of pistols, and he did see a payer or two of jack-bootes. The horses were small, not aboue fourteen hands.

Sir William Parkins insisted much that there was but one witness, which is Porter, as to the assassination, and the rest that spake of horses and armes say nothing of the assassination, and the raising horses and armes is another species of treason; and yet none of them doe say that the armes or horses were prouided for an inuasion; and assassinating and raising horses and armes for an inuasion are as different as two things can be. But the Judges deliuerd theire opinions that compassing and contriuing the death and destruction or dethroning of the King was treason laid in the indictment, and the two ways, by assassination and raisinge horse and armes for to assist the inuasion, are ouert acts of treason. The Jury gaue their verdict guilty. Sir John Freind and Sir William Parkins deliuerd papers at Tyburne to the Sherrif. Sir John Freind denies his beinge any way concerned in the assassination. He denies that he knew of any inuasion intended at this time. He thincks the King James vnjustly dethroned, and he holds it to be his duty, and of all good subjects, to assist him in recouering his right; and Sir William Parkins says he did know of the designe against the person of King William, but was not to haue any

Sir William Parkins.

part in it. He declares he was wholy in the interest of the King, and takes it to be his duty to assist him, he being vnjustly depriued of his throne. He takes notice of what Porter had sworne, that he had seene a Commission, and read it, from the King, to leuie war vpon the person of the Prince of Orange. He declares the Commission which he saw was generall, and directed to all his loueinge subjects, to raise and leuy war against the Prince of Orange and his adherents, and to seise all forts, castles, &c. but any Commission particularly leuelled against the person of the Prince of Orange he neuer saw. Note. After condemnation, a Committee of the House of Commons, consisting of such as were Priuie Councellors, came to Newgate to Sir William Parkins and Sir John Freind, and offerd theire (that is, the whole House's) intercession for pardon if they would declare the names of such as they knew concerned in the plot, but they calmely and resolutely denied; and Sir William Parkins sayd he would not have his life at the expense of other men's blood whom he himselfe had ingaged in the designe, and so the Committee reported to the House; and on Friday the 3d of Aprill they were both executed at Tyburne, 1696, and theire quarters set vp at Temple Bar, &c. Seuerall others haue been tryed and condemned for that same treason, and

Rookwood.

their tryalls printed, as Ambrose Rookwood, who had councill allowed, by whom many exceptions were taken, but all ouer-ruled by the Judges. Cranborne and Lowick had also coun-

Cranborne and Lowick.

cill, but all exceptions were ouer-ruled by the Judges. Mr. Peter Cooke was tried and condemned; he had councill also, but to no more aduantage than the rest. Mr. Knightly confessed the indictment, and neither he nor Cooke are yet executed.

Witnesses against Rookwood were, Porter and George Harris (whose euidence is reflecting on King James).

Witnesses against Cranburne were, Porter (who was his master, as he was also to Keys), De la Rue, Pendergras; some

witnesses were called to cross Porter, but did not speak positiuely.

Witnesses against Lowick were, Harris, Bertram (who had been releiued by Lowick in his necessities), and Fisher.

The councill tooke exceptions to the indictment, and to the witnesses, but all ouer-ruled; and then they called some witnesses for Lowick, who gaue a faire character of him. The Jury found him Guilty.

I escaped a great dainger.

The 12th day of August, 1695, I escaped by God his good prouidence a very great dainger. Beinge in the wood-yard, there was a cow which had slunck and was designed to be fatted, who, seeinge me come that way, came runninge directly at me, leaping ouer some wood that lay between me and her, which I perceaued; but, haueinge nothing in my hand, I threw my hatt, and hit her just in the eyes, which I thinck turned her a little aside, so she, with her shoulder, not her head, threw me downe, and away she rann; there were sawyers hard by sawing timber, and a mayd nearer me, which see me down, and the cow runninge directly on, she gott out of the way; the sawyers left their work, and gott out of the way, and the cow leapt ouer the rails into the park. I had no hurt, I praise God, but could not rise vntill the mayd came and helpt me.

Sir John Fenwick.

It is to be noted, that Porter sayd that at both the consults the Lord Aylesburie, Lord Mountgomerie, Sir John Fenwick, and one Goodman, were present. Sir John Fenwick was indicted, and a day appointed for his tryall. Porter and Goodman were the witnesses designed against all three; for Goodman had made his peace on condition to giue euidence for the King William (this Goodman had been a player); but, haueing obteined his liberty, he got away into France, so that there was only one witnes (Porter), which is not sufficient in treason. The House of Commons, therefore, proceeded by Bill; a sure way for his dispatch, it beinge alledged by some members that it was sufficient if euery member were satisfied in his

judgment or conscience that the partie accused was guiltie, tho' there were but one witnes (a doctrine they learnt from St. John, that bloodie prosecutor of the Earl of Strafford). The house, in this way of proceeding, is not bound, say they, to the formality of two witnesses. This Bill had much debate vpon euery reading (for some there were that would not be flatterd nor frighted out of the good old way of tryall). Sir John at the second reading was brought to the bar, and had councill assigned him (for now that law was in force), Sir Thomas Powis and Sir Bartholomew Shoare, who tooke many exceptions, but the House ouer-ruled all. The Commons passed the Bill. The Lords debated the same matters, and heard Sir John and his councill, yet passed the Bill, and he was executed at Tower Hill by beheadinge the 28th January, 1696. Note, it was pressed vpon Sir John that he had told the Earl of Devonsheire if he might haue his pardon that he would make some discoueries; that Lord acquainted the Commissioners (for the King William was in Flanders); they sent it to the King, who answered, that he should putt into writinge what he had to say, which he did, but was answered from Flanders, it was not sufficient. Sir John stood vpon it that he would say no more vntill he had his pardon, which he insisted vpon at the House of Commons bar, for, says he, let me say what I will, it may be answered, it is not sufficient. It seemes he had accused seuerall members of both houses, and they vrged his tryall, hard. His tryall is printed at large; he died nobly and Christianly.

Executed at Tower Hill 28th January 1696.

In Januarie 1695-6 I and my sonn dined with Mr. Dawtree; it was late when we returned; I beleiue we both caught cold, for I had a soare throat the 13th day. Next day, the 14th, I had great paines in my stomach, and so continued all that day and the next; but soon after, with the help of a clister, I was well and downe stayers. Mr. Aylmer administerd, by aduice of Dr. Woodgate. My sonn continued ill with paine in his head, and

Myselfe and sonn both ill with colds.

at one eare. On the 22nd I was taken with an extreame chollick on eatinge an egg, (my sonn and his wife aboue in his chamber,) and could not get vp to my bed, but was lead vp staires. I tooke poppie brandy, and that set me on vomitinge; next I tooke another clyster, and the paine went out of my stomack, but yet I had great paine in my limbs; my sonn also continued ill; and so this month passed. The whole month of February both my-selfe and sonn continued very ill. I had swellings and scurfe about my nose and eyes; so in my arme, leg, and one hip: I thought [it was] St. Anthony's fier. And (as I had once done by Dr. Lower's aduice) I tooke gentle cordials at night, and purged by manna next day. My sonn also tooke steele and a purging pill, as he had formerly done, by the same doctor's aduice. My distemper setled and increased by risinge in blisters in my armes, leggs, and thighs, which brake, and rann abundance of water. Dr. Yardly and Dr. Woodgate thought the distemper rather the scuruy than St. Anthony's fier. My issue, which I had long in my arme, stopd, and Dr. Woodgate sent me a gentium pea and a blistring plaister; but these things not haueinge the success I expected, and the humor spreading, and great soares risinge in my leggs, I resolued to haue the opinion of Sir Thomas Millington, and sent for Mr. Soam, the apothecary, to see my soares, and inform Sir Thomas Millington. He ordered seuerall things inwardly and outwardly, judgeing it to be, as Dr. Woodgate, vpon full consideration, had done, the *Herpes milliaris*, and not properly irisipilis. The owtward applications were sufficient, he sayd, to preuent any gangren, and the inward would driue out any malignancy; it was an electuarie; the outward was a lather of Castille soape and elder-flower water very hott, with which I bathed all the parts affected, and left the rag on the soares at first, but I rememberd Dr. Lower had bid me vse the oyled cloth, which would both draw and heale too, of which I gaue Sir Thomas Millington notice, and he approued; and, he ap-

prouing, I vsed it; but the distemper continued, and I was in great [pain] all the month of March, tho' I tooke North Hall waters * by the Doctor's, Sir Thomas Millington's, order. The next month also was as painfull, yet my thighs and one arme began to drie, but my left arme and both my leggs rann still, and continued very painfull. Dr. Woodgate thought bleeding might be proper, but, in respect of my age, he would not do it before Sir Thomas Millington were aduised with, who thought that in respect of my age, and for that my leggs and feet swelled, much bleeding might doe hurt, and a little bleedinge would doe no good, so that, vnless there were some great inflamation, he thought best to forbeare; but if there were an inflamation, then to take seven or eight ounces might doe well. In May I began with a new prescription by Sir Thomas Millington of houselick and milk boyled to a whey, and to drink asses' milk, which was prescribed before, but I could get none before the 19th of May this yeare, 1697.

I continued bathing with the lather and drinking asses' milk all the summer, takeinge Lime Weald water instead of North Hall, and found the same effect by them as by North Hall, and at last my distemper in a manner was gone; yet I bathed and vsed the oyled cloth all the winter, and [if] I left off I could find the distemper growing againe.

But the ass's foale was drowned about Christmas, and the ass dried vp; which made me forbeare that vntill July 20th, 1697, when I bought an ass and her foale.

April 16th 1697. The Parliament prorogued from the 16th of April to the 13th of May next.

Mr. Thomas Abdy died. On the 12th of April this yeare died Mr. Thomas Abdy, second sonn of Sir Thomas Abdy, at Felix Hall, his brother's

* These waters, mentioned before, came from a mineral spring in the parish of Northall, *hodie* Northaw, near Hatfield, in Hertfordshire, which was much resorted to about the middle of the seventeenth century, and ordered by Charles II. to be called *The King's Well.—Clutterbuck's Hist. of Herts., vol. ii., p.* 411.

house, and was buried at Kelvedon the 19th of the same month.

The 28th of this month, after a great storme of thunder and raine, about two in the morninge, my daughter Bramston was deliuered of a sonn, which was baptized the same 29th day in the afternoone, by the name of William, my-selfe and Mr. William Fitch godfathers, and Mrs. Briget Porter was godmother; but because Mr. Fitch was not present Mr. Robert Cole stood for him. William Bramston borne.

This child was taken ill in the night of the 7th of May, much about the time it was borne, with convulsions, and so continued till 2 after dinner, when Dr. Woodward gaue it something of cordiall, but without hope of life; he let it blood by leeches. So it died that day, and was buried the next day, the 10th, in the chancell at Roxwell.

This yeare, the 26th of June, I went to Albin's to meete Sir John Nicholas, and carried my litle boy, Thomas Bramston, with me. My daughter was at London with her coachman and the whele horses. But I haueing appointed the journy, my sonn thought [we might go] with the helpe of one of Mr. Stane's horses and a young horse he had newly bought, and which his coachman had vsed to the coach a day before. I borrowed a horse of the Butler. Edward Midleditch, who had often droue a payer of horses, draue vs. Goeinge apace downe a hill beyond Ongar, a butcher comeing vp loden, and not getting out of the way, the chariot ran vpon him and threw the butcher off, and I was afraid had mischeiued the fellow, for he cried out on his back; but my men helpt him vp again, and I presume he had no hurt, for I neuer heard more of it. So we went on and came well to Albin's; but our younge horse kicked sometimes. After we parted, at comeing downe the Causey, Sir John's coach was gone, this younge horse pressed on, and the man holding him back, he fell a kickinge, and beat downe the foot board, and the man, hauing no footing, fell from the box, but stood on his June 26th I escaped another great dainger.

leggs, and the same instant, by greater Prouidence and the blessing of God, the Lady Abdies coachman, who see our dainger, rann and layd hold of the horse and stopt him, and thereby prevented the death of the man and of vs in the coach too. After this they nailed the foot-board, and, takeing that horse out and putting in one of the Lady Abdies, and her man driuing, we got home well, tho' very late.

Peace. All parties being tyred with warr, or the expence of it, intimation was giuen by the French Kinge, that on tearmes he would agree to peace, which after treaties was concluded in September, '97, betweene England and France (and the articles on which it was concluded are printed by order of the Lords Justices), as had been the confederates Spaine, Holland, and the Empire; the Duke of Savoy haueing a year before made peace and concluded a marriage betweene his eldest daughter and the Duke of Burgundy, second sonn of the Dauphin.

July 5th, 1698, the Kinge came to the House, and by speech gaue thancks for the supplies and assistance giuen, which had procured a peace, and prorogued the Parliament to the 2d day of August next, which by prorogation was continued vntill the Kinge returned from Holland, and the two days after he came to Kensington it was dissolued, and writs issued calling another; which beinge prorogued from time to time to the 6th day of December, the Kinge beinge returned the 4th, the Houses met on the 6th, and Sir Thomas Littleton was chosen Speaker by many voices.

Note. At the election for Maldon, 21st July, the candidates were, Mr. Irby Mountague, brother to the Chancellor of the Exchequer, Sir Eliab Harvey, and William Fitch esquire. Sir Eliab we agree to haue the majority, by our help and folly; but we dispute Mountague's, whoe yet is returned with Sir Eliab, by the folly and ignorance of the baylife.

The election for the countie was July 29th, and the candidates Sir Charles Barrington, Sir Francis Masham, Mr. Benjamin

Mildmay, and Mr. Edward Bullock. The sitting of this Parliament was from time [to time] prorogued to the 6th of December, by reason the King was not returned from Holland, who ariuing the 4th at Margaret,* and comeing that night to Kensington from Canterburie, where he lay the night before, and as I sayd before they met and chose Sir Thomas Littleton Speaker.

William Lord Maynard died.

On Sunday, the 7th of February, this year, '98, died William Lord Maynard, at his house in Essex, Easton Lodge, and was buiried the 11th of the same month. His sonn Banastre succeeded him. I thinck he was seventy yeares of age or more. He had kept good correspondencie with the gentlemen of the countie, and was well esteemed by them, and in all elections had joyned his interest with them. He was sometime Comptroller of the Household to King Charles II., by the freindship of the Duke of Lautherdale, who had married a sister of the Lord Maynard's second wife (his first was daughter and heir of Sir Robert Banastre, by whom a great estate descended to his son Banastre); but King James succeeding his brother, he remoued the Lord Maynard, as he did all other Protestant seruants that would not comply with his designe of repealing the laws made against Papists and all Dissenters; yet by the freindship of the Lord Godolphin he had a pension granted and continued to him.

Sir Richard Wyseman.

In the Christmas time, one euening, about 9 or 10 of clock, Sir Richard Wyseman, goeing towards his lodgeing in the Pall Mall, as he went in the Strand, was knoct down by a blackmore with an ax or hatchet, who stole from him his sword, but finding no monie, rann away with the sword and ax; and some people, either seeing it or hearing Sir Richard groane, called out, Stop the theife! One that was then goeinge to an apothecarie in Drury Lane for some phisick for his wife, hearinge crie of Stop theife, and immediately one running by him, he ran after the man, who, finding he was followed, turned againe; but that made the man slack; yet, the rogue runninge againe, he fol-

* Margate.

lowed, crying still, Stop theife; and in Drury Lane another man hearing in a coffee-house the cry, came out, who seased on the rogue with the ax and sword, and held him fast about vntill the other man came, and they togeather led the fellow back to the place where the first cry was heard. By this time Sir Richard was taken vp bleeding; but being a litle come to sence, they called a coach, and he was going to a surgeon, but soone was called again by the people, that sayd the rogue was taken, and would needs haue him goe to a justice of peace; which he did, and owned the sword to be his, wherevpon the justice sent the rogue to Newgate. At the next session the two men and Sir Richard went to the grand jurie and gaue their euidence, who found the bill on the Saturday, and on Munday the partie was to haue been tryed; but he poysond himselfe the night before.

Sir Eliab Harvie. February 21st this year Sir Eliab Harvey, who serued for Maldon, died; and vpon a new election Mr. Bullock, brother of him that serues as Knight of the Sheire, was chosen. The truth is, neither of the brothers were out of kindnes to them chosen. But the elder brother, by marryinge one of the daughters and heires of Sir Mark Guian, made a great addition to his owne estate; and, liuinge generously, had gained a good interest in his neighbourhood, and so we thought, joyning him to Sir Charles Barrington, we might ouerbalance the interest of Sir Francis Masham and Mr. Mildmay, which tooke effect; and for the other brother he was married to the other daughter of Sir Mark Guian, and had by her the other moiety of the estate; and besides we had no bodie that cared to be in the house, but he writing a ciuill letter, submitting to the freemen, and offering to joyne with them in any other choice, wrought so on our good nature that we fixt on him.

All commodities very deare. This yeare all sorts of prouision were very deare, wheat 9*s.*, sometimes 9*s.* 8*d.*, neuer less than 8*s.*, and fell to 7*s.*, but continued that rate vntill May followinge, when, without any visible cause, it fell to 6*s.*, but rose again; mault sometime 5*s.*, but 4*s.*

was the ordinarie price for barly; butter, cheese, and all flesh sold very high.

The Parliament gaue great taxes, but not such as the King expected; they gaue a tax for the disbandinge the army. The King would gladly haue continued his Dutch guards, and caused it to be intimated how kindly he would take it from the Commons; but they went on with their Bills. So he wrote a letter to the House; but they sayd they would giue sufficient reasons for the disbanding all foreigners, and went on with their Bill; and the King came to the House of Peeres on February the first, and passed that Bill and some others; which haueinge done, he told them he came to pass that Bill as soone as he vnderstood it was ready, because he knew how fatall any thinge that lookt like vnto a misvnderstanding between him and his people would be; yet he sayd he must tell them it was a great hassard they ran by disbandinge so many troopes, and they must take the matter into serious consideration, and prouide such a strength as is necessary for the preseruation of the kingdome, and the peace which God hath giuen vs.

The Bill for disbanding the army.

The King came again on the 24th of March followinge, and passed some Acts, but sayd nothing to the Houses then. But on the 4th of May, '99, he came, and passed many Acts, publique and priuat, and after spake to the houses, and told them that he had sayd at the openinge that Parliament his opinion was they were met with harts fully disposed to what was necessary for the safety, honour, and happines of the kingdome, and haueinge nothing to recommend vnto them, he had reason to hope for unanimity and dispatch; then tells them that they sate so longe now that he tooke it for granted they had finished all the Bills that they thinck necessarie to pass into lawes, and the season of the year, as well as theire perticular affaires, make it reasonable they should haue a recess; and he has giuen his assent to all they haue presented to him. If any thinge shalbe found wantinge for our safety, the support of publique credit,

The King's speech at the prorogation.

by makinge good the fayth of the kingdom as it stands ingaged by parliament securities, and for discharge of debts occasioned by the war, or toward advancing trade, the suppressinge of vice, and the employinge of the poore, which are all the things I proposed to your consideration when we first met, I cannot doubt but effectual care wilbe taken of them next winter, and I wish no inconuenience may happen in the meane time. Then the Chancellor prorogued the Parliament to Thursday the first day of June next.

The Parliament prorogued to the first of June.

Soone after the prorogation of the Parliament, viz. on the last of May, the King declared in Councill that, he intending to goe ouer into Holland for a short time, he has appointed Thomas Archbishop of Canterburie, the Lord Chancellor, Earle of Pembroke, Lord President of the Councill, Lord Viscount Lonsdale, Lord Privie Seale, the Duke of Devonsheire, John Earl of Bridgwater, John Earl of Marleburrough, Edward Earl of Jersey, Secretary of State, and Charles Mountague, First Commissioner of the Treasury, to be Lords Justices of England for the Administration of the Government duringe his absence; and soone after the King went to Holland, and arriued safe there.

A high wind.

On the 7th of February, 1698, the wind was very high and violent at Westminster; threw downe three great elmes cross the rode; the fall shooke the house sensibly. It threw downe seuerell trees in the park, and one oake.*

Mrs. Argall died 27th February, 1698.

27th of this month of February Mrs. Argall, daughter of my vncle, William Bramston, died at Clerkenwell, where she had dwelt with her daughter some time.

Note.—The 5th of February the joyners began to make some alterations of the windows in my daughter's chamber.

1697. The Lady Bramston.

On the 19th of January this year, 1697, the Lady Bramston, widow of my brother, Sir Mondeford Bramston, died at Woodham Water, where she had dwelt with her sonn, William Bramston, Rector of that parish.

* Probably at Skreens.

Note.—My sonn doubting a rome which we called the Low Parlor was in dainger of fallinge, and would indainger the dyning rome, which also seemed to haue slipt from the maine posts, by reason some cracks were in the ceiling, he resolued to take down all that end from the stairs, and rebuild a handsome parlor where the old one was, of brick; and because that would not shew well, beinge brick alone, he tooke downe the wall of all the rest of the house next to the garden, and made it of brick also. But the new building being built higher-roof'd then the old, (as indeed it ought to be,) some eye-sores there are; but who considers the difficultie of joyning new and old worke will pardon some blunders. He agreed with his workmen at a summ certein, and vndertooke to find brick and timber whatsoeuer wanted more than the old, which beinge very large and stronge there wanted litle new; and the 28th of March, 1699, the workmen began to vntile ouer the dining rome. My sonn made all the bricks, and burnt them with fagotts, tho' not in a killn, and fetcht all his lime from Stifford.* The carpenters and joyners, and the bricklayers, were all Londoners; the carpenters and joyners dieted in the house; the bricklayers and their laborers lodged, but did not diet, in the house.

1699. The workmen began to vntile the house.

The 26th of April, '99, I was godfather to a third sonn of Mr. William Stane, which was named Thomas. The Lady Gostling was godmother, but beinge absent, Elizabeth Abdy stood for her. The child had the name of the grandfather by the mother's side, who was Sir Thomas Abdy. Mr. Richard Stane, the grandfather, was the other godfather.

Mr. Stane's third sonn.

May 2nd, early in the morninge, my son's wife was deliuerd of another sonn, which was the next day baptized by the name of Charles. Myselfe and my nephew, Thomas Bramston, were godfathers, but in regard he was not present, Colonel John

My sonn's son, Charles, borne 2nd May, '99, died the 9th, and was buried the same afternoone.

* Stortford.

Bramston stood for him. The Lady Sudburie * was godmother, but she beinge absent, my neece, B. Bramston, wife of Mr. William Bramston, stood for her. This child was shorter lived than the former, for the 8th of the same month it died, and was buried the next day at Roxwell by some of his sisters and brother.

The 12th of this month of May I remoued my lodging to the chamber ouer the litle parlor, they begininge to pull down the windows and walls.

August 24th. The 24th of August beinge come, at which time seuerall of my relations haue since my returne dined with me, as rejoycinge for the continuance of my life and health, and for that our house was full of noyce, durt, and dust, and we were cooped vp and scanted for rome, I had taken resolution to be absent that day, and gaue most of my kindred notice thereof; and amongst the rest I wrote to the Lady Abdy at Albins, and that my sonn and daughter would dine with her that day, not intending her any further truble than barely our dinner. But she wrote me word she tooke it extreame kindly that I would keep the anniuersary remembrance of my birthday with her, and that she would send to our kindred in that neighbourhood to come that day to dinner. I wrote instantly again to her, beseeching her not to giue herself that truble, and telling her I should be very vneasie all the day to find her house pester'd for my concerne. But she would not be preuailed with, and there dined Mr. Pennington (who had maried her husband's sister) and his two daughters, Mr. William Stane, his wife and her two sisters, daughters of Sir Thomas Abdy, and our companie; insomuch that we filled two large tables, which she filled with plentie of good cheere, and so made the company a splendid entertainment. And now I am entred on my 89th yeare.

My 89th year of age.

* In November 1699 Edward Carteret, Esq. married Bridget Lady Sudbury, daughter of Sir Thomas Exton, and relict successively of Sir John Sudbury and Thomas Clutterbuck, Esq. of Ingatestone, in Essex. If this was the lady, she lived till 1758.— *Collectanea Topographica et Genealogica*, vol. vii. p. 172.

I this week took three journies:—To Lady Sudburies, to Albins, and to Woodham Water; at all which places I dined, which, with a walk in a very hot day to the mill, which was then repairinge, and without any stay or rest, for there was not a stoole to sitt on, I heated my blood so that I brake out in seuerall places of my body with a scurfe and itching. I tooke some Gascons pouder and dranck Weald water. On the same day, September 1st. September 1st, in the afternoone, came Mrs. Foster, with her daughter and her sonn-in-law, Mr. Ange (who had giuen me an old hen swan and two cygnetts), on a visit. I went downe into the parlour to them; but before they were gone I was forced to returne to my chamber and call for a fier, and was taken with a shiuering. I lay downe, and fell to burninge, and at night I fell into a sweate, so that I had a perfect fitt of an ague. About ten of clock I tooke Gascons pouder, and about 12 some posset drinck, and sweat very much all the rest of the night.

On Saturday, the 2d of September, my nephew Fitch and his three vncles, my nephews George, William, and Thomas Bramston, dined here, as did also Mr. Heron (Rector of Morton),* at a haunch of veneson. I eate not with them; and they told vs that Mrs. Fitch, William Fitch his wife, was on Tewsday before, viz. 29th of August, deliuered of a third daughter. At night I tooke more Gascons poudar, and I slept indifferent well, but awaked often.

On Sunday, 3d September, in the afternoon, I was ill, fell into a shakeing fitt, made hast to bed. After three houres I began to grow hott and burnt very much, and so continued vntill the family was gone to bed. About 12 I began to sweate, and I sweate extreamely three or four hours. After the sweate went off in the morninge (Munday, the 4th, my grandson J. Bramston went to Cambridge), I tooke the Jesuites pouder. (My sonn had sent for Mr. Aylmer, the apothecary, to be heare

4th J. Bramston went to Cambridge.

* Arthur Heron, instituted in 1698 to the rectory of Moreton, in the deanery of Ongar. He died in 1733.

by 6 of clock, which he was.) He mingled the eighth part of an ounce with the syrup of gilliflowers. Three houres after I tooke another dose, the like quantitie, but moistened with some cordiall water. Then, fearing that those purges would deprive me of the benefitt of the powder (for so I had been told by Dr. Lower formerly, and Mr. Aylmer beinge gone), I divided the third dose into two parts, and tooke them every hower and halfe, mixed with a litle claret wine, and dranck a litle claret, supposing that way to prevent purginge, as it did. But a while after, drinckinge some hot claret as a cordiall, it made me vomit, so that I was in feare again of looseing the benefitt of the pouder; but I continued takeinge the powder every houre and halfe in claret, and I praise God it putt by the fitt. I continued takeing the powder untill I had taken an ounce and halfe; and I bless God I have had no fitt since unto this moment that I am writing this, the 10th of September. But my sonn goeinge to Dr. Fuller, desired him to write to his sonn-in-law, Dr. Havers, for his opinion what course was to be taken to prevent the returne. He advised, and sent an electuary made up with the Jesuits' powder, and also a cordiall (which had also the powder in it), to be taken every three houres so longe as it did last, and that ten dayes after I must renew the same course again, which I did. And having finished that course too, I am, this tenth day, able to write what is before sayd; and doe most hartily thanck my gracious God and Father that he hath spared my life at this time, and not taken me away in such a storme and fierie tempest. And I beseech him that when it shalbe his pleasure to take me away, it may be with no disquiet of mind or torturing paine of body, but that I may goe calmly to rest with him eternally. But why doe I direct my Maker? Take me, O my God, when and how thou pleasest, but let me not be disappointed of my hope, the salvation of my soule through thy mercy and the merits of Christ, my Saviour!

In the begining of October I had taken a litle cold, and found

my distemper comeing upon me. I sent for Mr. Some to see in what manner I was. He came, and thought it may be the same humor that formerly afflicted me. I was afraid to purge with the waters, as I had used, least it might cause the ague to returne, which I dreaded very much. My leggs also swelled. I ordered him to goe to Sir Thomas Millington, and he prescribed an electuary and an aperiating julip, which he would have taken all the winter, which would drie up the humor, he hoped. And that I have followed a month and more, and hope it will have the effect desired.

On Munday, December 4th, the wife of Dr. George Bramston died at Doctors' Commons, leaving him only one daughter.

I have been ill with a cold a weeke, and I was in feare I should not have been able to goe to church on Christmas Day; * but I thanck God I went, receaved the Communion at the railes, (this beinge the first time the Communion hath been celebrated since the table was railed in, and the pulpit removed,) and I praise God I have been free from the cold ever since. But Colonel John Bramston † was then also ill with a cold, who went to the Common waters; but his cold increased, and he hath ever since been afflicted very much with the gout in his hand, and he is otherwise very ill, this 2d of January.

* It was impossible to resist inserting in this place the entry with which the well-known Diary of John Evelyn concludes; so striking is its resemblance to the last passage of our Autobiographer's memoir.

Both these patriarchs had long outlived the space allowed to man by the Psalmist, and both had been permitted to enjoy a green old age, whilst they never seem to have forgotten the mercies vouchsafed to them by Providence, and were happily engaged to the last in preparing for the great change that was so soon to await them. "January 6, 1705-6," records Evelyn, (who had recently entered into his 85th year,) "though much indisposed, and in so advanced a stage, I went to our chapel (in London) to give God public thanks, beseeching Almighty God to assist me and my family the ensuing year, if He should yet continue my pilgrimage here, and bring me at last to a better life with Him in his heavenly kingdom."—*Diary*, vol. ii. p. 85.

† He survived till 1707.

With this entry the Diary closes. Sir John Bramston died on the 4th of February following, and was interred on the 14th of that month, in the chancel of Roxwell church.

On a Mural Monument in the Chancel of Roxwell Church is the following inscription to the father of the Autobiographer, which has been recorded in the first page of the MS. Memoir:—

HIC SITUM EST CORPUS
JOHN[S] BRAMSTONI, EQUITIS AURATI; ROGERI BRAMSTONI
ARMIG. ET PRISCILLÆ CLOVILLÆ FILII,
CANTAB. IN COLLEG. JES. ERUDITUS BONIS LITERIS
LOND. IN TEMPLO MEDIO JURIS PRUDENTIÆ OPERAM DEDIT
EO SUCCESSU UT FACTUS SIT
CANTAB. ADVOCATUS SIMUL AC FORUM ATTIGERAT.
POSTEA
JUDEX ELEENSIS, REGIS SERVIENS AD LEGEM,
PRIMARIUS JUDEX REGIORUM SUBSELLIORUM.
PRIMIS NUPTIIS DUXIT BRIGET. MOUNDEFORD
HONESTISSIMA FAMILIA NATAM,
SECUNDIS ELIZAM BRABAZON FILIAM DOM. BARONIS
BRABAZON IN HIBERNIA.
VIR
MORUM ANTIQUORUM, ET RELIGIONIS NON NOVISSIMÆ,
INNOCENTISSIMUS, NOCENTIUM CASTIGATOR,
SEVERUS, PLACIDUS, GRAVIS, COMIS,
IN MUTUIS CIVILIUM BELLORUM ODIIS, NULLI HOMINI
NEDUM PARTI INVISUS
22 DIE SEPTEMB. AN. DOM. 1654, ÆTAT. SUÆ 78.
TRES FILIOS TOTIDEMQ' FILIAS, MODICAS OPES, OPTIMAM FAMAM
IN TERRIS RELINQUENS
CŒLUM PETIIT.
QUID TIBI OPTEM AMPLIUS, QUI ISTA LEGIS?

AMBITIONE, IRA, DONOQUE POTENTIOR OMNI,
QUI JUDEX ALIIS LEX FUIT IPSE SIBI.
QUI TANTO OBSCURAS PENETRAVIT LUMINE CAUSAS
UT CONVICTA SIMUL PARS QUOQUE VICTA FORET.
MAXIMUS INTERPRES, CULTOR SANCTISSIMUS ÆQUI,
HIC JACET, HEU, TALES MORS NIMIS ÆQUA RAPIT.
HIC ALACRI EXPECTAT SUPREMUM MENTE TRIBUNAL,
NEC METUIT JUDEX JUDICIS ORA SUI.

LATINISSIMUM HOC EPITAPHIUM ET ELEGANTISSIMA
HÆC CARMINA,
(AB ABRAHAMO COWLEIO COMPOSITA)
DIU ABDITA, MARMORI INSCRIBI VOLUIT
THOMAS BRAMSTON, ARMIGER, PRÆDICTI JOH[IS] PRONEPOS,
QUOD SUMMI POETÆ ADMIRATUS SIT INGENIUM,
ET JUSTI JUDICIS ADVENERATUS MEMORIAM.
1732.

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ERRATA ET CORRIGENDA.

Page 49, line 24, Serjeant "Cree" is an error for Sir Thomas Crewe, who was made King's Serjeant in 1624.

P. 76, note §, William 2d Baron Maynard, who died in 1698, is the Peer mentioned in the text.

P. 78, last line, the attestation commences with the word "Shortly," &c.

P. 96, line 5 from foot, *for* Hales *read* Hale (Sir Matthew).

P. 97, line 3 from foot, *for* Jaye *read* Ivye.

P. 107, lines 3 and 4, *for* Joseph *read* John.

P. 117, line 10, Sir Edward Hyde is the person spoken of.

P. 223, last line, *omit* Chief.

P. 225, Milton in fact was appointed into the Exchequer and Powell into the Common Pleas.

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